Report on the Administration of Civil Justice in the Province of Oudh

1868

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FROM

THE HON'BLE SIR GEORGE COUPER, BART. C. B.,

JUDICIAL COMMISSIONER OF OUDH,

To

MAJOR I. F. MACANDREW,

SECRETARY TO THE CHIEF COMMISSIONER, OUDH.

Dated Lucknow, the 3rd June 1869.

SIR,

In continuation of my letter No. 547 A, dated 30th April 1869, I have now the honour to submit the papers noted in the margin, together with the following remarks on the Civil Administration of the Province during the past year.

Vide separate list.

2. It appears from the general comparative statement No. 8 A, that there has been a general increase in the number of original suits instituted during the year as shown in the margin. 1867 was however an exceptional year, for it was the only one since the annexation of the province in which there had not been a gradual increase in the number of suits instituted. In 1867, there was a decrease, which was ascribed by some to the working of the new Stamp Act, by others to the abundant harvest. If it was due to the former cause, the figures show that it no longer acts as a deterrent, for the number of suits instituted during the year under review is even larger than the number instituted in 1866, *viz.* 24,012.

Year	No. of suits instituted.
1867	22047
1868	24559
	+ 2512

3. I have always attached great importance to the percentage of cases struck off without trial. For when this percentage is small, it shows that suitors have confidence in our courts, and also that, as a rule, cases are heard on the day fixed, or, at all events, that parties are not kept hanging about the court for an unduly long period. For if they were, they would cease to attend, and their cases would swell the number of those struck off without trial.

Under the heading "struck off without trial" I would enter those cases in which neither the plaintiff nor the defendant is in attendance on the date fixed for the appearance of the latter, and the case is consequently dismissed under section 110 of the Code of Civil Procedure. No other cases should be included under this heading. For when a case is dismissed under such circumstances the fact is due to one of two causes. Either the defendant, finding the plaintiff in earnest, has come to some arrangement out of court; or there has been such delay in disposing

of the case that the parties have retired to their homes, and, consequently, when it *is* called on, they are not in attendance, and the case is struck off in default. Of course officers are desirous of showing that cases are struck off in their courts owing to the first of these causes. But the new returns unfortunately do not even show us how many cases were struck off without trial, much less do they enable us to form an opinion as to the cause to which the number is due.

The new heading is "withdrawn, transferred, and struck off without trial." And moreover, as it is only when a decree is passed by "compromise or consent" that a case can appear under that heading, the numerous suits which are decided by compromise, but in which it has not been thought necessary to pass a decree, have gone to swell the number of cases "struck off without trial." The consequence is, that, with the additional cases provided for in the heading itself, and these compromised cases, no less than 20 per cent of the suits instituted appear under the heading "struck off without trial." But I am satisfied that a small proportion only of this number were *bonâ fide* cases struck off without trial under section 110.

Then again, the "contested cases tried and decided in court" appear to be only 38 per cent of the number disposed of. In 1867, 52 per cent were so contested. But I have ascertained that no case was entered under this heading during the present year that had not been fought out by the parties to the very last. That is, a case which had lasted a couple of days, and been adjourned to another day, on which date the plaintiff put in a compromise, or the defendant did not appear, would be entered either under, "by compromise or consent" or under the heading, "*ex parte*," both headings being under the general heading "without contest in court." But I do not think this grouping either just to the courts, or accurate in itself. For the termination of the case in this manner may have been entirely owing to the previous two days contest in court, and the efforts of the judge to arrive at a sound conclusion. That is to say, when the case was adjourned, the defendant might have formed a pretty accurate notion how it would end from what had already passed, might have seen, in short, that it was hopeless to persevere longer, and consequently come to an arrangement with the plaintiff, or absented himself on the date fixed for the final hearing. Under either supposition, the case would be decided in court, that is, the judge would decree in favour of the plaintiff in accordance with the compromise, or in consequence of the defendant's default, and the result would be due to the contest.

I am therefore of opinion that it is only when a case is compromised, either before or at the first hearing, before it has gone to trial, that it should appear under the heading "compromised without contest in court." Whenever there has been a contest, and the case is finally decided by razeenama, or in favour of one party in consequence of the default of the other, it should appear as having been tried and decided in court in favour of the plaintiff or of the defendant as the case may be.

I have issued instructions to this effect. But they can of course be withdrawn or modified if the Government, for whose information these statements are compiled, should see fit.

4. The average duration of suits was 17 days. The figures of course look satisfactory. But as long as we do not know how much they are due to cases too hurriedly struck off without trial they cannot be regarded with much complacency.

5. There were 575 cases pending at the close of the year, or 116 more than at the close of 1867. But the percentage of cases pending to cases instituted is the same in both years, *viz.*, 2 per cent. 98 cases were pending in the small district of Gondah alone. The Deputy Commissioner ascribes this to the fact of an Extra Assistant Commisssioner having gone away sick, and no one having been sent to take his place. The excuse is unsatisfactory.

6. 669 cases were disposed of by arbitration, and in 1867, 714 cases were so disposed of. The figures call for no remark.

7. The comparative general statement of civil appeals (9A) shows that 1051 appeals were instituted in the courts of Deputy Commissioners, being 66 less than in 1867. And the subjoined tabular statement shows the manner in which these cases have been disposed of. It will be seen that no less than 134, or 13 per cent, were struck off without trial. The worst results in this respect are in the districts noted in margin.

YEAR.	Total number of appeals on the file.	Appeals withdrawn transferred or struck off without trial.	Decided on trial.			Remanded for further investigation.	Total.
			In favour of Appellant.		In favour of Respondent.		
			In whole	In part			
1867, ..	1215	82	351	102	558	95	1188
1868, ...	1076	134	164	55	531	130	1014
Difference,...	—139	+52	—187	—47	—27	+35	—174

District.	Number of cases instituted	Number of cases struck off without trial.
Oonao, ...	108	16
Hurdui,	143	20
Khebee,	58	17
Gondah,	103	22
Sultanpoor,	78	13

It is difficult to believe that these cases were struck off without trial in consequence of the parties having settled the matter amicably out of court. For the respondent, having won his suit in the court of first instance, would hardly be in the mood to come to the necessary terms. On the whole, I fear that, owing to the work which devolves on Deputy Commissioners in other departments, owing too to their repeated and prolonged absences in camp, cases are not brought on for hearing on the days originally fixed, nor are the parties duly informed of the dates to which they are adjourned. Consequently they leave the court, and return to their homes, and when their cases are finally called on they are absent. It is necessary to ascertain whether this be or be not the true solution of this unsatisfactory state of

things, and I trust the circular which I have just issued on the subject will enable me to set the question at rest in my report for the ensuing year.

The result in Kheree is, as will be seen, exceptionally bad. The Deputy Commissioner is silent on the subject.

8. Out of 750 appeals decided on trials, 531, or 71 per cent, were given in favour of the respondents. In 1867 it was 55 per cent.

9. The number of cases remanded for further investigation was 130. Seeing that the number of appeals on the file was 1,076 I do not think the result disproportionate.

10. There were 62 cases pending at the end of the year, which gives an average of five for each district; and the average duration of appeals was 20 days against 21 days in 1867. The result would be satisfactory if we could only be certain that cases struck off without trial in consequence of the non-appearance of parties who had retired in despair to their homes were not in some measure the cause of this low average duration. In Kheree, where upwards of one-fourth of the cases were struck off without trial, the duration, naturally enough, was 15 days only.

11. The marginal tabular statement shows the results of the appeals to the courts of the Commissioners of Divisions. Of 39 cases struck off without trial, 22 were in the court of the Commissioner of Lucknow. In 1867, no appeal was struck off without trial in that judge's court. The difference is probably owing to the change in the incumbent.

Year.	Total number of appeals on the file.	Appeals withdrawn, transferred or struck off without trial.	Decided on trial.			Returned for further investigation.	Total.
			In favor of appellant.		In favor of Respondent.		
			In whole.	In part.			
1867	269	32	27	26	133	22	240
1868	303	39	41	19	148	33	280
Diff., ...	+34	+ 7	+14	−7	+15	+11	+40

Out of 280 cases disposed of, 208, or 74 per cent were contested. The average duration of each appeal was 46 days. In 1867, it was 56 days. The longest duration (77 days) is in the court of the Commissioner of Seetapoor, in which however only one case was struck off without trial; and the shortest duration (23 days) is in the Lucknow Commissioner's court, in which, out of 103 cases on the file, 22, or upwards of 20 per cent, were struck off without trial.

There were only 23 cases pending at the end of the year.

12. There were 195 appeals in my own court, being 20 less than in 1867. The percentage of reversals was 10. The average duration was 30 days against 20 days in 1867; and there were 25 cases pending at the close of the year against 16 at the close of 1867.

Besides these cases on the civil side, this court disposed of 76 revenue appeals which were transferred to it under section 1 of Act XXXVII of

1867. Most of these suits for land were intricate, or presented features of some difficulty.

The Judge of the Small Cause Court submitted 34 cases for a ruling under section 22 of Act XI of 1865.

13. I think it useful to be able to note the percentage of costs to the value of suits. But the new statements do not provide the necessary information.

14. From the Registration Return (12 A) it will be seen that 71,329 deeds have been registered during the year under review, or 4,238 more than in the previous year. The most marked increase is in the number of alienations of real property. In 1867, there were 14,046 such transactions, and, in 1868, there were 17,117, or 3,071 more. Whether this state of things be owing to the hardness of the times, or to the pressure of the assessment, or to the general improvidence of the owners of land, is uncertain.

15. Statement No. 6 contains the classification of suits instituted during the year under review. As it does not correspond with the classification statement which has hitherto been in force, I am unable to offer any observations on the comparative results for the two past years.

In itself, the statement does not appear to contain anything which calls for specific remark.

16. From Statement No. 10 it would seem that decrees passed for the amount of Rs. 12,20,823 only, whereas, in 1867, the amount was Rs. 17,63,735. Rs. 13,32,384, or Rs. 1,11,561 more than the total sum for which decrees were passed, were realized and paid to the decree-holders; but this of course includes sums realized on account of decrees passed in previous years. And it does not follow that the whole of the amount for which decrees were passed during 1868 was realized. The statement would seem to be susceptible of improvement. Executions to the amount of Rs. 6,36,137 were pending at the close of the year. Of the actual number of decrees, execution of which was applied for, *viz.* 12,628, there was complete execution in 4,927 cases, that is, 39 per cent of the decrees were completely executed, and 13 per cent more were partially executed. Moreover no action had been taken in 1,052 cases. In other words, 1,052 cases were pending at the close of the year; and it is fair to assume that a proportionate success has been obtained with regard to these also. The result generally, I submit, is satisfactory.

17. From Statement No. 13 it appears that out of 21,503 witnesses examined on the civil side of the courts, 20,577, or 96 per cent, were dismissed on the first day of their attendance, 792, or 3 per cent, on the second day, and only 134 witnesses, or 0·62 per cent, *i. e*, less than one per cent were detained over the second day. In 1867, 97 per cent were dismissed on the first day, and 2 per cent on the second; but in 1867, the number of witnesses examined was less by 2,405 than the number in attendance during the year under review. The result appears to me to be all that can be desired.

18. An abstract of the receipts and disbursements on account of processes (Statement No. 15) is given in the margin. Every district has a balance in hand.

Year.	Total amount of Tulubana received.	Total amount of Tulubana disbursed.	Total amount in hand.
1867	27,951 12 0	20,582 7 7	7,369 4 5
1868	28,830 3 0	21,709 10 0	7,120 9 0
Difference, ...	+878 7 0	+1,127 2 5	−248 11 5

19. The former Statement U, showed the revenue derived from stamps, which generally offered some point for comment. The new forms do not contain a corresponding statement.

20. From Statement No. 8, it would seem that of the 25,018 suits on the files during the year, 15 per cent were disposed of by Small Cause Courts, 5 per cent by Honorary Assistant Commissioners, 38 per cent by tahsíldárs, and 36 per cent by Extra Assistant Commissioners and Assistant Commissioners. Of the remainder, 3 per cent were disposed of by Deputy Commissioners and the Civil Judge of Lucknow, and 2 per cent were pending at the close of the year.

The result is much the same as in the preceding year. In my last report, I said that I thought too much judicial work was imposed on the tahsíldárs. But it may be noted that it is in the small districts in which the head quarter staff is comparatively small that the larger amount of work is thrown on this class of officers. In Kheree, for example, they disposed of 73 per cent of the suits, in Hurdui of 60 per cent, in Barabunkee of 59 per cent, in Oonao of 56, and in Baraich of 53 per cent respectively, while, at the head quarter districts of Roy Bareilly, Lucknow, Fyzabad and Seetapoor, they only disposed of 46, 30, 22 and 19 per cent of the work respectively.

21. Mr. Lincoln had charge of the office of Civil Judge of Lucknow during the greater portion of the year, and Mr. Dyson officiated as Judge of the Court of Small Causes during the same period. I have repeatedly brought these officers to the favourable notice of Government, and have only to say that they have fully maintained the character which they have earned as judges of ability, industry and patience.

I have the honour to be,

Sir,

Your most obedient servant,

GEORGE COUPER,

Judicial Commissioner, Oudh.

No. 2814.

FROM

THE SECY. TO THE CHIEF COMMISSIONER,
OUDH,

To

THE JUDICIAL COMMISSIONER,
OUDH.

Dated Lucknow, 5th July 1869.

SIR,

I am directed to acknowledge receipt of your report upon the administration of Civil Justice during the past year.

2. A very large portion of your report is taken up with pointing out what you are satisfied are the shortcomings of the forms of returns prescribed by the Government of India, and more specially in regard to the cases struck off without trial. On the general question of the returns I am to refer you to the Chief Commissioner's remarks on the subject in his review of your Criminal Report, as they apply equally on the present occasion; but I am to add that Mr. Davies concurs with you that the heading complained of is too comprehensive and not sufficiently distinctive, and he is of opinion that your recent circular on the subject will meet the case and give a truer account of what the courts are doing.

Original Suits.

3. There has been an increase of 2,512 in the number of suits instituted during the year. You remark, however, that the year 1867 was exceptional, being the only year since annexation in which the number of suits had not increased. The present year's figures, which exceed those of 1866 by 547, show that the new Stamp Act has not acted to keep suitors out of court.

4. The proportion of cases contested in court has remained the same, 37 per cent, but the proportion of contested cases decided in favour of the plaintiff has risen from 71 per cent in 1867 to 75 per cent in the present year, while the proportion of the decrees for plaintiff in which the decree has been for the whole amount claimed has risen from 50 to 60 per cent. Assuming that the validity of claims was fully tested, these figures show improvement and increased necessity for the litigation. The state of the pending file, and the average duration of cases are satisfactory.

5. The business appears to have been disposed of as follows:—

	Suits.	*Miscell.*
Small Cause Court, ...	3,784	3,056
Tahsíldárs and Honorary Assistant Commissioners, ...	1,0787	3,855
District, and Civil Judges Courts,	9,872	1,1401

The Honorary Assistant Commissioners disposed of 5 per cent of the suits, Tahsíldárs of 38 per cent, and Assistant and Extra Assistant Commissioners of 36 per cent. The Chief Commissioner concurs with you that in the districts where the head quarter staff is weak, a larger proportion of the judicial work will fall on the Tahsíldárs, but he cannot help thinking that their disposing of so much as 73 per cent of the suits in Kheree, which has a fair average number on its file, is not likely to improve the executive administration.

6. The more minute sub-division of suits into classes in the present year's returns prevents any accurate comparison with the previous year, but, of the more numerous classes of suits, those for simple debt appear to have considerably decreased, and those for bond debt, and for goods sold, to have slightly increased in about the same proportion. The miscellaneous cases disposed of have increased from 17,680 to 18,315. The value of the suits has decreased to Rs. 27,08,617 from Rs. 30,63,753. The Chief Commissioner considers it of importance that your report should show the costs, the proportion of costs to value, and the average value of suits decided by each class of tribunal, as well as the average value of the whole. You say the new returns do not admit of your giving this information, and I am therefore to request that you will prescribe such additional returns or such amplification of the present ones as may seem to you necessary to enable you to furnish these particulars in next year's report.

Appeals.

7. The number of appeals to the courts of Deputy Commissioners have decreased from 1,215 to 1,076. The number struck off without trial has increased from 82 to 134, and you seem to be apprehensive that this is owing to the appeals being postponed unduly and without proper notice to the parties. The Chief Commissioner observes that you have taken measures to ascertain the real truth on this subject, and he hopes that you will be able to apply a proper remedy.' Mr. Davies notices with satisfaction that the appeals decided in favour of the respondent have risen from 45 to 49 per cent of the whole number brought before the courts, and from 55 to 71 per cent of those contested, and that the average duration has fallen one day. The pending file is very moderate.

8. The appeals to the courts of Commissioners have increased from 269 to 303. The per-centage of decrees for respondent to total appeals has fallen from 49 to 48, while that of decrees for respondent to contested appeals is about the same as last year, 71 per cent. The pending file is moderate and the average duration has fallen from 56 to 46 days, which is satisfactory so far, but yet is too high. Mr. Davies however observes that the blame chiefly rests with the former Commissioner of Seetapoor.

9. In your own court the total number of appeals fell from 272 to 215. The proportion of decrees in favour of the respondent to contested cases fell from 84 to 66 per cent. Of this you have given no explanation, and as it stands it does not show well for the lower appellate

courts. The increase in your pending file and in the duration of civil appeals in your court is fully accounted for by 76 revenue cases which you have disposed of and which do not appear in these returns.

Execution of decrees.

10. Application for the execution of 12,628 decrees was made, of which 39 per cent were completely executed, and 13 per cent were partially executed. In 8 per cent no action had been taken. Rs. 5,12,438 had been recovered in full, and Rs. 8,19,946 had been recovered in part payment of decrees, applications were pending to the amount of Rs. 6,36,137. You consider these results satisfactory, as the amount passed in decrees during the year was 12,20,823, an opinion in which the Chief Commissioner concurs.

Witnesses.

11. The number of witnesses discharged on the first day was 96 per cent of the whole, 3 per cent were discharged on the second day, and less than one per cent detained for a longer period. This statement I am to observe is highly satisfactory.

Registration.

12. The deeds registered during the year were 71,329 against 67,091 in 1867. The number is however below 1866, when it was 76,469, though the fees have risen, being in

1866	...	...	...	Rs. 40,153
1867	...	...	...	„ 37,721
1868	...	...	...	„ 41,944

The increase this year has been chiefly in deeds transferring real property. The Chief Commissioner could have wished that your report had been fuller on this subject, but your absence from the province during the cold weather is no doubt the cause.

Conclusion.

13. In conclusion I am to say that the report is creditable to the civil courts of the province, and to intimate that the Chief Commissioner will notice the officers mentioned by you in his annual report.

I have the honour to be,

Sir,

Your most obedient servant

I. F. MACANDREW,

Secretary to the Chief Commissioner, Oudh.

No.

Statement showing the number and description of Civil Suits in the

	DESCRIPTION OF CLAIM.	Pending.	Number of cases			
			Small Cause Courts		*Tahsildárs and Honorary Assistant Commissioners' Courts.*	
			Instituted.	Disposed of.	Instituted.	Disposed of.
	Suits.					
1	Simple debt, ...	57	671	669	1,778	1,768
2	Bond debt, ...	154	522	517	3,173	3,164
3	On account stated, ...	27	71	71	934	922
4	Money paid or received, ...	11	90	92	277	274
5	Goods sold, ...	33	1355	1351	1,122	1,112
6	Breaches of contract for money due not included in above,	19	480	483	471	461
7	Rent, ...	8	274	276	153	152
8	For personal property or the value thereof, ...	38	227	228	1,364	1,346
9	For damages for personal injuries, ...	3	...	...	62	60
10	„ injuries to property, ...	32	91	95	374	365
11	„ defamation, ...	1	...	...	109	107
12	„ other injuries, ...	4	...	...	156	158
13	To compel specific performance of contract, ...	2	...	...	100	98
14	To set aside contract on account of fraud, mistake or accident,	...	...	..	11	11
15	Mandamus or injunction, ...	...	...	...	25	25
16	Partnership, or accounts, ...	14	2	2	96	95
17	Admiralty, ...	...	...	...	...	...
18	Religion or caste, ...	1	...	...	2	2
19	Trusts or religious endowments, ...	1	...	...	12	13
20	Marriage, ...	9	...	...	201	196
21	Adoption, ...	...	...	...	...	...
22	Guardianship of minors and lunatics, ...	...	...	...	1	1
23	Other suits to declare or establish personal rights,... ...	1	...	...	13	12
24	Wills, ...	...	...	...	2	1
25	Claims to inheritance Hindoo, ...	2	...	...	20	20
26	„ Mohommedan, ...	2	...	...	1	1
27	„ Others, ...	...	...	...	3	3
28	Hindoo widows, ...	1	...	...	3	3
29	Relating to the revenue, ...	...	...	...	4	4
30	Mortgage, ...	11	...	...	51	52
31	Bailment, ...	4	...	...	51	50
32	Pre-emption, ...	...	...	...	4	4
33	Possession of land, ...	11	...	...	65	64
34	To resume or assess rent free land, ...	...	...	...	...	...
35	Proprietary right, ...	...	...	...	4	4
36	Under proprietary right, ...	...	...	...	...	...
	Carried forward, ...	446	3,783	3,784	10,642	10,548

6.

instituted and disposed of in the Civil Courts of the Province of Oudh year 1868.

INSTITUTED AND DISPOSED OF IN DIFFERENT COURTS.							
District and Civil Judge's Courts.		*Superior Courts.*		*Total.*			REMARKS.
Instituted.	Disposed of.	Instituted.	Disposed of.	Instituted.	Disposed of.	Pending.	
1,198	1,211	...	...	3,647	3,648	56	
3,535	3,527	...	...	7,230	7,208	176	
675	662	...	...	1,680	1,655	52	
228	225	...	...	595	591	15	
827	824	...	...	3,304	3,287	50	
554	545	...	...	1,505	1,489	35	
189	187	...	...	616	615	9	
797	795	...	...	2,388	2,369	57	
68	69	...	...	130	129	4	
389	398	...	...	854	853	33	
97	97	...	...	206	204	3	
97	95	...	...	253	253	4	
64	64	...	...	164	162	4	
7	6	...	...	18	17	1	
25	25	...	...	50	50	...	
119	125	...	...	217	222	9	
...	...	...	...	...	...	...	
4	5	...	...	6	7	...	
17	16	...	...	29	29	1	
143	145	...	...	344	341	12	
1	1	...	...	1	1	...	
2	2	..	...	3	3	...	
101	93	...	...	114	105	10	
1	1	...	...	3	2	1	
32	31	...	...	52	51	3	
26	21	...	...	27	22	7	
...	...	...	...	3	3	...	
3	4	...	...	6	7	...	
9	6	...	...	13	10	3	
218	221	...	...	269 A.	273	6	A. One case from heading No. 30 instituted in Hurdui before Mr. A. G. Walker was transferred to No. 31 to the court of Lieutenant Horsford.
62	62	...	...	118	112	6	
6	6	...	...	10	10	...	
49	56	...	...	114	120	5	
...	...	...	...	...	...	...	
3	3	...	...	7	7	...	
1	1	...	...	1	1	...	
9,547	9,524	...	...	23,072	23,856	562	

No. 6.

	DESCRIPTION OF CLAIM.	Pending.	Number of cases			
			Small Cause Courts.		*Tahsildárs and Honorary Assistant Commissioners' Courts.*	
			Instituted.	Disposed of.	Instituted.	Disposed of.
	Brought forward, ...	446	3,783	3,784	10,642	10,548
37	Partition, ...	1	...	...	14	14
38	Boundaries, ...	...	...	...	...	...
39	Relating to real property not included in above, ...	12	...	...	224	225
	TOTAL, ...	459	3,783	3,784	10,880	10,787
	MISCELLANEOUS CASES.					
1	Application for execution of decrees, ...	692	2,294	2,258	3,590	3,429
2	Claims preferred against attachment of property in execution of decrees, ...	20	80	76	90	90
3	Contempt of Court, ...	1	1	2	...	...
4	Claim to sue as pauper, ...	9	1	2	8	8
5	Bankruptcy cases and claims of insolvent debtors to release,	6	29	30	...	...
6	Claims to administer estate of deceased or incapable persons,	36	...	...	...	...
7	Cases relating to administration of trusts, ...	2	...	...	...	...
8	Applications for rehearing under Section 119, ...	6	36	35	83	81
9	„ review of judgment, ...	10	125	125	23	19
10	„ injunctions, ...	...	125	125	8	8
11	Proceedings in other miscellaneous subjects received from other Civil Courts, ...	4	38	38	79	79
12	Miscellaneous petitions, returns of Amlah &c., ...	148	363	363	136	136
13	Cases instituted under Section 326, Act VIII of 1859, ...	1	...	...	4	4
14	Ditto, 327, ditto, ...	...	2	2	1	1
15	Claim to foreclose or redeem mortgages, ...	1	...	...	...	...
	TOTAL, ...	936	3,094	3,056	4,022	3,855
	GRAND TOTAL, ...	1,395	6,877	6,840	14,902	14,642

LUCKNOW:
JUDICIAL COMMISSIONER'S OFFICE,
The 3rd June 1869.

—*Continued.*

INSTITUTED AND DISPOSED OF IN DIFFERENT COURTS.							
District and Civil Judge's Courts.		*Superior Courts*		*Total.*			REMARKS.
Instituted.	Disposed of.	Instituted.	Disposed of.	Instituted.	Disposed of.	Pending	
9,547	9,524	...	...	23,072	23,856	562	
12	13	...	...	26	27	...	
...	...	...	...	...	...	...	
337	335	...	...	561	560	13	
9,896	9,872	...	...	24,559	24,443	575	
6,052	5,889	...	...	11,036	11,576	1,052	
588	568	...	...	758	734	44	
3	3	...	...	4	5	...	
72	75	...	...	81	85	5	
8	11	...	...	37	41	2	
96	90	...	...	96	90	42	
2	4	...	...	2	4	...	
442	445	...	...	561	561	6	
199	190	...	...	347	334	23	
45	40	...	...	178	173	5	
832	836	...	...	940	953	...	
3,098	3,228	...	...	3,597	3,727	18	
7	7	...	...	11	11	...	
14	15	...	...	17	18	...	
4	3	...	...	4	3	2	
11,462	11,404	...	...	18,578	18,315	1,199	
21,358	21,276	...	...	43,137	42,758	1,774	

No. 7.

Statement showing the value of suits disposed of in the Civil Courts of the Province of Oudh in the year1868.

VALUE OF SUITS.	Number of suits disposed of in different Courts.					Totel Value of suits.	REMARKS
	Small Cause Courts.	Tahsildárs and honorary Asst. Commissioners' Courts,	Civil Judge and district courts.		Total.		
Not exceeding Rupees, ... 5 ..	650	1286	730		2666	9069	
„ „ ... . 20 ..	1674	5316	3772		10,762	1,32,895	
„ „ .. .. 100 ..	1032	3942	3499		8473	3,70,213	
„ „ .. .. 500 ...	428	243	1469		2140	4,13,525	
„ „ .. .. 5000 ..	..	..	360		360	4,84,147	
„ „ .. .. .. 1,00,000 ..	..	..	40		40	7,79,081	
Exceeding rupees, ... 1,00,000 ..	..	..	2		2	5,19,699	
Total ..	3784	10787	9872		24,443	27,08,617	

LUCKNOW,
JUDICIAL COMMISSIONER'S OFFICE,
The 3rd June 1869.

GEORGE COUPER,
Judicial Commissioner Oudh

No. 8.

Statement showing the general result of the trial of Civil Suits in the courts of original jurisdiction in the Province of Oudh in the year 1868.

CLASS OF COURTS.	NUMBER OF CASES ON FILE.			Cases withdrawn transfe red or struck off without trial or decree.	CASES IN WHICH DECREE PASSED									Cases pending at the close of the year.	AVERAGE NUMBER OF DAYS DURING WHICH EACH CASE LASTED.		Number of summonses to parties to appear in person.	Number of parties who appeared.	Number of summonses to witnesses other than parties.	Number of witnesses who appeared.	Number of witnesses produced by the parties.	REMARKS.
					WITHOUT CONTEST IN COURT.					CONTESTED CASES TRIED AND DECIDED IN COURT.												
										In favour of Plaintiff.												
	Remaining from last year.	Instituted.	Total.		Ex parte.	By confession.	By compromise and consent.	By arbitration.	Total.	In whole.	In part.	In favour of defend-ants objectors or in-solvents.	Total.		Contested.	Uncontested.						
Small Cause Courts, ...	28	3,783	3,811	437	495	569	580	78	1,722	737	512	376	1,625	27	6	7	4,578	8,183	4,970	1,775	967	
Unpaid local tribunals,	11	1,334	1,345	239	37	535	141	37	750	147	109	68	324	32	14	14	1,751	1,281	1,589	1,296	3	
Paid sub-divisional tribunals, ...	87	9,546	9,633	1,974	192	2,600	1,072	308	4,172	1,394	1,141	793	3,328	159	17	13	12.275	10,329	8,861	8,109	127	
District Courts other than chief Courts of districts, ...	269	9,140	9,409	2,298	478	1,479	1,064	236	3,257	1,649	941	962	3,552	302	30	20	10,099	9,007	7,252	7,157	352	
Chief Courts of districts,	64	756	820	51	98	64	83	10	255	243	103	113	459	55	49	34	67	1,290	1,731	1,700	17	
TOTAL, ...	459	24,559	25,018	4,999	1,300	5,247	2,940	669	10,156	4,170	2,806	2,312	9,288	575	19	15	28,770	30,090	24,403	20,037	1,466	

LUCKNOW:
JUDICIAL COMMISSIONER'S OFFICE.
The 3rd June 1869.

GEORGE COUPER,
Judicial Commissioner, Oudh.

No.

General Comparative statement of general result of trials of original

Division.	District.		Number of cases on file. Remaining from last year. Civil.	Revenue	Instituted. Civil.	Revenue.	Total. Civil	Revenue	Cases withdrawn transferred or struck off without trial or decree. Civil.	Revenue	Cases. Without contest in. Ex parte. Civil	Revenue	By confession Civil.	Revenue.	By compromise and consent Civil.	Revenue	By arbitration Civil	Revenue
Lucknow	City Civil Court Lucknow, ..	1867	28		528	.	556		47	..	58	..	39		64	...	6	
		1868	60	..	699	...	739		44	..	98	...	57	...	75	...	6	...
	Small Cause Court Lucknow, ...	1867	25	...	2969	..	2994	..	126	..	509		188	...	284	..	57	..
		1868	24	..	2918	..	2942		252		434		267	...	501	...	74	.
	Total, ..	1867	53	.	3497	...	3550	...	173	..	567		227	..	348	.	63	..
		1868	84	..	3617	.	3701	.	290		532	.	324		576	...	80	
	Difference,		+31		+120	..	+151		+123	..	−35	..	+97	...	+228	...	+17	...
	Lucknow, ...	1867	7		1019	...	1026		216		28		218	...	94		57	..
		1868	10	..	963	..	973	..	256	..	47	...	178	..	86	...	22	..
	Small Cause Court Lucknow Cantonment, ...	1867	3		587	.	590	..	99	..	25	..	185	...	46	..	0	..
		1868	4	..	732	...	736	...	136	..	57	.	266	...	75	.	1	.
	Oonao, .	1867	34		1947	...	1981		381	...	20		592	..	311	..	132	...
		1868	3	...	1930	..	1933	.	397	..	33	..	306		212		77	...
	Barabunkee, ...	1867	50	..	1455		1505	..	213	...	82		250	...	120	..	46	..
		1868	89	..	1796		1885	.	312		53	.	518	.	181	.	62	...
	Total, ...	1867	94	.	5008		5102	..	909	...	155	..	1245	.	571	..	235	
		1868	56		5421	.	5477	..	1101		190	..	1268	.	554		162	..
	Difference, ...		−38	.	+413		+375	..	+192	.	+35	.	+23		−17	...	−73	...
Seetapoor	Seetapoor, ...	1867	30	..	1361	..	1391	..	325	..	51	..	457	.	150		33	...
		1868	65	...	1682		1747	.	587	.	73	...	491		153		32	..
	Hurdui, ...	1867	55	...	1644		1699	..	339	..	65	.	557	.	169		73	..
		1868	23	...	2093	.	2116		442	..	62	..	591	..	165	...	43	...
	Kheree, ...	1867	13	..	1317	...	1330		273	...	19	.	294	...	287	.	15	.
		1868	15	..	1530		1545	..	407	...	37	..	224	...	164	..	34	
	Total, ...	1867	98	..	4322		4420		936		135	.	1308	..	606	...	121	...
		1868	103	..	5305	.	5408	..	1436	...	172	...	1306	..	482	.	109	...
	Difference, ...		+5	..	+977	..	+982		+499	.	+35	.	−2		−125		−12	.
Fyzabad	Fyzabad, ...	1867	60	.	1300	..	1360	..	200	..	116	..	120	..	172	...	0	...
		1868	72	..	1283	.	1355	..	295	..	58	..	172	...	134	..	30	..
	Small Cause Court Fyzabad Cantonment, ...	1867	0	..	114	...	114	..	40		3	..	28	..	2		4	..
		1868	0	..	113	..	113	..	33	..	3	..	35	..	3	..	3	...
	Baraich, ...	1867	16	...	3260	..	3276	..	450	..	116	..	1084	..	597	..	137	
		1868	27	..	3767		3794	...	629	...	61	...	1095	...	849	...	112	...
	Gondah, ...	1867	65	..	1229	..	1294	.	175		54	.	290	..	118		36	
		1868	34	..	1664	..	1698	.	436	...	17	..	258	...	119	...	74	..
	Total, ..	1867	141	...	5903	..	6044	...	865	...	289	.	1522	..	889	..	207	
		1868	133	..	6827	..	6960		1393		142		1560	...	1105	.	219	
	Difference, ...		−8	...	+924	.	+1316	...	+528	...	−147		+38	..	+216	...	+712	
Roy Bareilly.	Roy Bareilly, ...	1867	89	...	1027	...	1116	..	193	..	35	..	362	.	147	...	0	..
		1868	35	...	1158		1188	..	200	.	40		316	...	94	..	26	
	Sultanpoor, ...	1867	7	...	1228		1235	..	279	..	66		256	..	125	...	0	
		1868	14	..	1138	..	1152	...	286	..	66	..	168	.	87		38	.
	Partabgurh,	1867	29	.	1062	.	1091	..	303	..	77	..	353	..	49	..	24	.
		1868	34	...	1098	..	1132	..	287	.	158	.	305		42	..	35	
	Total, ...	1867	125	...	3317	...	3442	..	775	..	178	...	971	...	321	..	24	...
		1868	83	..	3389	..	3472	..	773		264		789	..	223	..	99	
	Difference, ..		−42		+72	..	+30	...	−2	..	+86	.	−182	..	−98		+75	.
	Grand Total, ..	1867	511	.	22047	..	22558	.	3658	..	1324	.	5073	...	2735	.	650	..
		1868	459	..	24559	..	25018	..	4999	..	1300	.	5247	.	2940		669	..
	Difference, ...		−52		+2512	...	+2460	..	+1341	..	−24	...	+174	...	+205	...	+19	...

8A

suits in the Civil Courts in Oudh during the years 1867 and 1868.

WHICH DECREE PASSED — COURT	Total.		CONTESTED CASES TRIED AND DECIDED IN COURT.								Cases pending at the close of the year.		AVERAGE NUMBER OF DAYS DURING WHICH EACH CASE LASTED.				Number of summonses to parties to appear in person	
			In favour of plaintiff.				In favour of defendants, objectors, or insolvents.		Total.				Contested.		Uncontested.			
	Cases.		Days.		In whole.		In part.				Cases.		Days.					
	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.
	167	...	3978	...	149	..	41	...	92	...	282	...	10808	...	60	...	38	...	24	...	0	...
	236	...	6118	...	229	..	97	...	102	...	428	...	17413	...	51	...	41	...	26	...	0	...
	1038	...	5907	..	754	...	669	.	383	..	1806		8308	...	24	...	5	...	6	...	3719	...
	1276	...	7158	..	645	.	428	..	316	.	1389	.	9600	...	25	...	7	...	6	...	3631	..
	1205	...	9885	...	903	..	710	...	475	..	2088	..	19116	.	84	...	9	...	8	...	3719	...
	1512	...	13276	...	874	..	525	..	418	...	1817	...	27013	...	76	..	15	...	9	...	3631	...
	+307	...	+3391	..	−29	.	−185	...	−57	.	−271	...	+7897	...	−8	...	+6	...	+1	...	−88	...
	397	...	8171	..	109	...	161	...	133	...	403	..	8547	...	10	...	21	.	20	...	1273	...
	335	.	5669	...	155	...	115	...	87	..	357	..	7861	..	27	...	22		17	...	1227	...
	256	...	564	...	70	...	92	...	69	..	231	..	984	..	4	...	2	..	2	..	779	..
	399	...	1633	...	77	..	69	...	53	...	199	...	646	...	2	..	4	...	4	...	812	...
	1055	...	17309	.	258	.	140	...	244	.	542	..	8852	..	3	..	16	...	16	.	5908	...
	628	...	8998	...	465	.	209	...	195	...	869	...	13480	...	39	..	16	...	14	..	2318	..
	498	..	10904	..	187	...	325	...	243	...	755	.	10876	...	39	...	14	...	22	...	1495	...
	814	...	10120	...	245	...	205	.	238	..	688	...	10868	...	21	...	16	..	12	...	2775	...
	2206	...	36948	..	624	...	718	...	689	...	1931	...	29259	..	56	...	15	...	16	...	9455	...
	2174	...	26420	...	942	...	598	..	573	.	2113	...	32855	..	89	...	16	...	12	...	7132	...
	−32	...	−10528	...	+318	.	−120	...	−116	...	+182	.	+3596	...	+83	...	+1	..	−3	...	−2323	...
	691	.	10342	..	90		78	.	142	..	310	..	7202	...	65	..	23	...	15	...	1652	...
	749	..	16059	...	204	...	80	.	87	...	371	...	11442	...	40	..	31	..	21	...	2082	...
	864	..	14158	.	184	.	124		165	..	473	..	11161	.	23	...	24	...	16	...	2418	...
	861	...	11454	..	381	...	211	...	181	...	773	...	11530	..	40	..	15	..	13	...	3013	...
	615	...	8200	.	144	...	164	...	117	...	425	...	7801	...	15	...	16	...	13	...	1819	...
	459	..	8590	...	285	...	232	...	125	.	642	...	9091	...	37	...	14	..	19	...	1880	..
	2170	...	32700	...	418	...	366	...	424	..	1208	..	26164		103	...	21	.	14	...	5889	...
	2069	...	36103	.	870	...	523	..	393	.	1786	..	32063	...	117	...	18	...	18	...	6975	...
	−101	...	+3403	...	+452	...	+157	..	−31	...	+578	..	−4101	..	+14	.	−3		+1	...	+1086	...
	408	...	11748	...	221	...	214	...	245	...	680	..	19383	..	72	...	28	..	29	...	0	..
	394	...	9919	...	277	...	179	...	180	...	636	..	14162	.	30		22	...	25	..	0	..
	37	...	175	...	16	..	11	..	10	..	37	..	188	..	0	...	5	...	5	...	123	...
	44	...	164	. .	15	...	15	...	6	..	36	...	153	...	0	...	4	..	4	...	115	...
	1934	..	20230	...	198	...	501	..	166	..	865	.	18630	...	27	...	22	...	10	..		...
	2120	...	25156	...	308	...	420	...	279	...	1007	...	16310	...	38	...	17	...	12	..	4934	...
	673	...	12922	...	249	...	134	..	204	.	587	...	17200	...	34	...	29	..	19	...	1136	...
	468	...	14774	..	354	...	198	..	144	...	696	...	23311	...	98	...	33	..	21	..	1489	...
	3052	...	45075	..	684	...	860	..	625	...	2139	..	55401	...	133	..	26	.	15	...	1259	...
	3026	...	54256	...	954	...	812	...	609	...	2375	...	49693	...	166	..	21	..	18	...	6538	...
	−26	..	+9181	..	+270	...	−48	..	−16	...	+236	...	−5708	..	+33	...	−5	...	+3	...	+5279	...
	544	...	14036	...	109	..	121	...	114	...	344	..	6100	...	35	...	20	.	23	...	2232	...
	476	...	7682	...	208	...	138	...	129	..	475	...	18283	...	37	...	38	...	14	...	1154	...
	447	...	10552	...	171	...	170	...	135	...	476	...	12848	..	14	..	26	..	23	...	942	...
	359	...	8172	..	214	...	145	...	110	...	469	...	12856	...	38	..	28	...	23	...	1407	...
	503	...	6705	...	115	..	60	...	76	...	251	.	5285	...	34	...	21	...	13	...	1550	...
	540	...	7843	...	108	..	65	...	80	...	253	.	4127	...	52	...	17	.	14	...	1633	...
	1494	...	31293	...	395	...	351	..	325	...	1071	...	24233	...	83	...	22	...	21	...	4724	...
	1375	...	23697	...	530	...	348		319	.	1197	.	35566	..	127	..	28	..	17	...	4494	...
	−119	...	−7596	...	−65	...	−3	...	−6	...	+126	...	+11333	...	+44	..	+6	...	−1	...	−230	...
	10125	...	155901	...	3024	...	3005	...	2538	...	8437	...	154173	..	459	...	18	...	15	...	25046	...
	10156	...	153752	...	4170	...	2806	..	2312	...	9288	...	177190	...	575	...	19	...	15	...	28770	...
	+31	...	−2149	...	+1146	...	−199	...	−226	...	+851	...	+23017	..	+116	...	+1	..	...	...	+8724	...

No. 8A.—(*Continued.*)

Divisions.	District		Number of parties who appeared: Summonsed. Civil	Summonsed. Revenue	Warrants. Civil	Warrants. Revenue	Number of summonses to witnesses other than parties. Civil	Number of summonses to witnesses other than parties. Revenue	Number of witnesses who appeared: Summonses. Civil	Summonses. Revenue	Warrants. Civil	Warrants. Revenue	Produced by parties. Civil	Produced by parties. Revenue	Remarks.
	City Civil Court, Lucknow,	1867	962		2		1335		1298		3		0		
		1868	1216		4		1684		1613		4		0		
	Small Cause Court, Lucknow, ...	1867	7521		33		6544		2106		19		323		
		1868	7291		16		4846		1624		22		867		
	Total, ...	1867	8483		35		7879		3304		22		323		
		1868	8507		20		6480		3237		26		867		
	Difference, ...		+24		−15		−1399		−67		+4		+544		
Lucknow	Lucknow,	1867	1153		40		812		722		0		448		
		1868	696		24		578		428		2		499		
	Small Cause Court, Lucknow Cantonment, ...	1867	779		12		199		199		0		228		
		1868	570		189		92		92		0		100		
	Oonao, ...	1867	2061		493		2405		1488		266		0		
		1868	1810		302		1619		1524		19		0		
	Barabunkee, ...	1867	1470		25		2433		2433		0		0		
		1868	2311		57		1889		1566		0		0		
	Total, ...	1867	5463		570		5749		4842		266		676		
		1868	5387		572		4208		3610		21		599		
	Difference, ...		−76		+2		−1541		−1232		−245		−77		
Seetapoor.	Seetapoor, ...	1867	1022		61		712		675		69		89		
		1868	1356		74		898		815		83		182		
	Hurdui, ...	1867	2025		0		3172		2073		0		0		
		1868	2736		0		3563		2719		0		0		
	Kheree, ...	1867	1415		90		2007		1812		35		107		
		1868	1476		84		1985		1904		38		120		
	Total, ...	1867	4462		151		5891		4560		104		196		
		1868	5568		158		6446		5438		121		302		
	Difference, ...		+1106		+7		+555		+878		+17		+106		
Fyzabad.	Fyzabad, ...	1867	1425		23		623		700		0		77		
		1868	1297		0		997		1157		0		0		
	Small Cause Court, Fyzabad Cantonment, ..	1867	109		2		46		46		0		0		
		1868	113		0		31		31		0		6		
	Baraich, ...	1867	Information not supplied.						1927		0		0		
		1868	2857		152		3482		2330		94		42		
	Gondah, ...	1867	947		0		420		412		0		0		
		1868	1170		0		427		400		0		0		
	Total,	1867	2481		25		1089		3085		0		77		
		1868	5437		152		4927		3918		94		48		
	Difference, ...		+2956		+127		+3838		+833		+94		−29		
Roy Bareilly.	Roy Bareilly, ...	1867	2017		215		617		577		40		260		
		1868	964		107		732		746		24		258		
	Sultanpoor, ...	1867	827		0		99		750		0		866		
		1868	1172		0		881		825		0		363		
	Pertabgurh, ...	1867	1950		39		420		385		13		152		
		1868	2020		26		839		760		7		239		
	Total, ...	1867	4794		254		1136		1712		53		1278		
		1868	4156		133		2452		2331		31		860		
	Difference, ...		−638		−121		+1316		+619		−22		−418		
	Grand Total, ...	1867	25683		1035		21744		17503		445		2550		
		1868	29055		1035		24403		18534		293		2676		
	Difference,		+3372		0		+2659		+1031		−152		+126		

Lucknow
Judicial Commissioner's Office,
The 3rd June 1869.

GEORGE COUPER,
Judicial Commissioner, Oudh

No. 9.

Statement showing the business of the Civil Appellate Courts of the Province of Oudh in the year 1868.

CLASS OF COURTS.	Cases on the file.			Appeals withdrawn, transferred or struck off without trial.	Decided on trial.			Remanded for further investigation.	Total.	Cases pending at the end of the year.	Average duration of each appeal tried.	REMARKS.
	Remaining of last year.	Instituted.	Total.		*In favour of Appellant.* In whole.	*In favour of Appellant.* In part.	In favour of Respondent.					
Deputy Commissioners' Courts, ...	25	1051	1076	134	164	55	531	130	1014	62	20	
Commissioners' Courts, ...	29	274	303	39	41	19	148	33	280	23	46	
Judicial Commissioner's Court, ...	13	202	215	A. 71	33	7	79	0	190	25	29	
Total, ...	67	1527	1594	244	238	81	758	163	1484	110	26	

A includes 20 cases transferred.

LUCKNOW;
JUDICIAL COMMISSIONER'S OFFICE,
The 3rd June 1869.

GEORGE COUPER,
Judicial Commissioner, Oudh.

No.

Comparative General Statement of Civil

Courts of Deputy Commissioners

Division.	Districts		Cases on the file: Remaining from last year. Civil.	Cases on the file: Remaining from last year. Revenue.	Cases on the file: Instituted. Civil.	Cases on the file: Instituted. Revenue.	Cases on the file: Total. Civil.	Cases on the file: Total. Revenue.	Appeals withdrawn transferred or struck off without trial. Civil.	Appeals withdrawn transferred or struck off without trial. Revenue.	Decided on trial. In favour of appellant. In whole. Civil.	In whole. Revenue.	In part. Civil.	In part. Revenue.	In favour of Respondent. Civil.	In favour of Respondent. Revenue.	Remanded for further investigation. Civil.	Remanded for further investigation. Revenue.	Total. Cases. Civil.	Cases. Revenue	Total. Days. Civil.	Days. Revenue.
	City Civil Court Lucknow, ...	1867																				
		1868																				
	Difference, ...																					
Lucknow.	Lucknow, ...	1867	10		78		83				23		5		56		4		88		1778	
		1868	...	..	79	...	79	..	6	...	12	...	5	...	40	...	5	..	68	...	711	...
	Oonao, ...	1867	1		157		158		12		20		12		82	..	32	...	153		3502	...
		1868	...	.	108	...	108	...	16	...	18	...	4	.	36	...	22	...	96	.	1621	...
	Barabunkee, ...	1867	15		146		*161		10		55		47		36	...	7	..	155	...	2508	..
		1868	4	.	53	.	57	...	6	..	15		2	..	31	..	1	...	55	..	1291	..
	Total, ...	1867	26		381		407		22		98		64		174	...	43	...	401	...	7788	.
		1868	4	.	240	...	214	.	28	...	45	..	11	...	107	.	28	...	219	.	3623	...
	Difference, ...		−22	...	−141		−163	.	+6	..	−53	...	−53	..	−67	..	−15	...	−188	.	−4165	..
Seetapoor.	Seetapoor, ...	1867	3		61		64		...		37	..	1		13	..	13	...	64		1373	...
		1868	...	...	68	...	68	..	6	..	7	...	4	..	31	..	15	...	63	..	887	...
	Hurdui, ...	1867	6		145		151		31		32		6		73	...	5		147		1403	..
		1868	4	...	139	...	143	...	20	...	24	..	11	.	76	...	6	..	137		2675	..
	Kheroe, ...	1867			47		47		3		2		5		37	...	...	.	47	...	544	...
		1868	...	...	58	...	58	...	17	...	9	...	4	.	25	...	...	...	55		824	..
	Total, ...	1867	9		253		262		34		71		12	...	127		18	...	258	...	3320	.
		1868	4	...	265	..	269	...	43	...	40	.	19	...	132	...	21	...	255		4386	...
	Difference, ...		−5	..	+12	...	+7	...	+9	..	−41	..	+7	...	+9	.	+3	...	−3		+245	...
Fyzabad.	Fyzabad, ...	1867	14		97		111		...		80		4	...	22	...	.	...	106	..	2636	...
		1868	5	...	166	...	171	...	18	...	23	...	12	...	90	..	22	...	165		4788	...
	Baraich, ...	1867	2		58		60		9		7		1	...	39	...	3		59	..	1721	..
		1868	1	..	59	...	60	...	6	...	12	.	1	..	32	.	7	.	58		1333	...
	Gondah, ...	1867	20		115		135		12	.	17		3	..	95		8	...	135	...	2569	...
		1868	..	..	108	...	108	...	22	..	10	...	3	..	52	...	16		108		2129	..
	Total, ...	1867	36		270		306		21	.	104		8	...	156	...	11	..	300		6926	...
		1868	6		328	..	334	...	40	...	45	..	16	...	174	..	45		326		9250	...
	Difference, ...		−30	..	+58	...	+28	.	+25	...	−59	...	+8	...	+18	...	+34	.	+26		+2324	...
Roy Bareilly.	Roy Bareilly, ...	1867	2	...	75		77	.	3	.	10	...	1	...	55		8	...	77	...	1194	...
		1868	...	.	83	...	83	...	...	..	7	..	2	...	55	...	12		76		1232	...
	Sultanpoor, ...	1867	21		74	...	95		2		55	.	10	...	21		4		92	...	4924	
		1868	3	...	75	...	78	...	13	...	14	...	4	...	32	..	13	.	76	.	1228	...
	Pertabgurh, ...	1867	4		64		68		...		13	..	7	...	29	...	11	...	60	...	1299	..
		1868	8	.	60	...	68		4	..	13	...	3	...	31	...	11		62		1056	...
	Total, ...	1867	27		213		240		5		78		18	...	105	...	23	...	*229		7417	...
		1868	11	...	218	...	229	...	17	...	34	...	9	.	118	..	36	...	214		8516	..
	Difference, ...		−12	..	+5	...	−11	...	+12	...	−44	..	−9	.	+18	..	+13		−15		−3001	...
	Grand Total,	1867	98		1117		1215		82		351	..	102	...	558		95	...	1188	...	25451	..
		1868	25	...	1051	...	1076	...	134	.	164	...	55	...	531	...	130		1014		20775	..
	Difference, ...		−73	...	−66	.	−139	...	+52	...	−187	...	−47	..	−27	...	+35		−174		−4676	...

* Out of these two appeals were transferred to the Commissioner's Court.

9A.

Appeals for the years 1867 and 1868.

Cases pending at end of year.		Average duration of each appeal tried.		Cases on the file.						Appeals withdrawn, transferred or struck off without trial.		Decided on trial.						Remanded for further investigation.		Total.				Cases pending at end of year.		Average duration of each appeal.	
				Remaining from last year.		Instituted.		Total.				In favour of Appellant.				In favour of Respondent.				Cases.		Days.					
												In whole.		In part.													
Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.
Sd Lucknow city.				**Courts of Commissioners.**																							
...	...	20	...	1	...	6	...	7	...	...	...	2	...	...	...	2	...	3	...	7	...	189	..	...	...	27	..
11	...	11	...	...	...	13	...	13	...	4	...	3	...	...	...	4	...	1	...	12	...	349	...	1	...	29	..
...	...	22	...	1	...	12	...	13	...	...	...	2	...	3	...	8	...	...	...	13	...	104	...	...	...	8	..
12	...	17	...	...	...	40	...	40	...	6	...	9	...	...	...	16	...	3	...	34	...	685	...	6	...	20	..
4	...	16	...	1	...	17	...	18	...	...	...	1	...	4	...	11	...	1	...	17	...	357	...	1	...	21	..
2	...	23	...	1	...	49	...	50	...	12	...	1	...	1	...	30	...	3	...	47	...	1,084	...	3	...	23	..
4	..	19	...	3	...	35	...	38	...	...	...	5	...	7	...	21	...	4	...	37	..	650	...	1	...	15	..
25	...	17	...	1	...	102	...	103	...	22	...	13	...	1	...	50	...	7	...	93	...	2,118	...	10	...	23	..
+21	...	−2	...	−2	...	+67	...	+65	...	+22	...	+8	...	−6	...	+29	...	+3	...	+56	...	+1,468	...	+9	...	+8	..
...	...	21	...	1	...	21	...	22	...	1	...	1	...	1	...	13	...	1	...	17	...	484	...	5	...	28	..
5	...	16	...	5	...	7	...	12	...	...	...	...	...	1	...	10	...	1	...	12	...	1,590	...	...	...	132	..
4	..	10	...	4	...	14	..	18	...	3	...	...	...	2	..	7	...	3	...	15	...	758	...	3	..	50	..
6	...	20	...	3	...	22	...	25	...	1	...	1	...	1	...	14	..	8	...	25	...	1,312	...	...	...	52	..
...	...	12	...	6	...	9	...	15	...	1	...	...	...	6	...	5	...	1	..	13	...	982	...	2	...	75	..
3	...	15	...	2	...	3	...	5	..	...	...	1	...	...	...	4	...	...	...	5	...	371	...	...	...	74	..
4	...	13	...	11	...	44	...	55	...	5	...	1	...	9	...	25	...	5	...	45	...	2224	...	10	...	51	..
14	...	14	...	10	...	32	...	42	...	1	...	2	...	2	...	28	...	9	...	42	...	3,273	...	...	...	77	..
+7	...	+1	...	−1	...	−12	...	−13	...	−4	...	+1	...	−7	...	+3	...	+4	...	−3	...	+1,049	...	−10	...	+28	..
5	...	25	...	6	...	60	...	66	...	16	...	8	...	3	...	34	...	...	...	61	...	3068	..	5	...	50	..
6	...	29	...	5	...	31	...	36	...	7	...	6	...	7	...	12	...	2	...	34	...	1,258	...	2	...	37	..
1	...	29	...	...	...	3	...	3	...	...	...	1	...	...	...	1	...	...	...	2	...	71	...	1	...	35	..
2	...	23	...	1	...	13	...	14	...	2	...	2	...	2	...	7	...	1	...	14	...	613	...	...	...	44	..
...	...	19	...	2	...	6	...	8	...	1	...	2	...	...	...	3	...	...	...	6	...	509	...	2	...	85	..
...	...	21	...	2	...	9	...	11	...	2	...	3	...	...	...	4	...	1	...	10	...	594	...	1	...	59	..
6	...	23	...	8	...	69	...	77	...	17	...	11	...	3	...	38	...	...	...	69	...	3648	...	8	...	56	..
8	...	28	...	8	...	53	...	61	...	11	...	11	...	9	...	23	...	4	...	58	...	2,465	...	3	...	42	..
+2	...	+5	...	...	...	−16	...	−16	...	−6	...	...	..	+6	...	−15	...	+4	...	−11	...	−1,183	..	−5	...	−11	..
...	...	15	...	7	...	53	...	60	...	9	...	5	...	4	...	28	...	12	...	58	...	4278	...	2	...	74	..
7	...	16	...	2	...	57	...	59	...	3	...	10	...	7	...	27	...	6	...	53	...	2,723	...	6	...	52	..
3	...	56	...	3	...	20	...	23	...	1	...	3	...	1	...	12	...	1	...	18	...	1753	...	5	...	97	..
2	...	16	...	5	...	16	...	21	...	2	...	1	...	...	...	11	...	5	...	19	...	1,111	..	2	...	58	..
8	...	22	...	4	...	12	...	16	...	...	...	2	...	2	...	9	..	...	...	13	...	1898	...	3	..	146	..
6	...	17	...	3	...	14	...	17	...	...	...	4	...	...	...	9	...	2	...	15	...	1,201	...	2	...	80	..
11	..	32	...	14	...	85	...	99	...	10	...	10	...	7	...	49	...	13	...	89	...	7929	...	10	...	89	..
15	...	16	...	10	...	87	...	97	...	5	...	15	...	7	...	47	...	13	...	87	...	5,035	...	10	...	58	..
+4	...	−16	...	−4	...	+2	...	−2	...	−5	...	+5	...	...	...	−2	...	...	...	−2	...	−2,894	..	...	...	−31	..
25	...	21	...	36	...	233	...	269	...	32	..	27	...	26	...	133	...	22	...	240	...	14451	...	29	...	56	..
62	...	20	...	29	...	274	...	303	...	39	...	41	...	19	...	148	...	33	...	280	...	12,891	...	23	...	46	..
+37	...	−1	...	−7	...	+41	...	+34	...	+7	...	+14	...	−7	...	+15	...	+11	...	+40	...	−1,560	...	−6	...	−10	..

No. 9A.

COURT OF JUDICIAL

Division	Districts		Cases on the file: Remaining from last year. Civil.	Cases on the file: Remaining from last year. Revenue.	Cases on the file: Institution. Civil.	Cases on the file: Institution. Revenue.	Cases on the file: Total. Civil.	Cases on the file: Total. Revenue	Appeals withdrawn or transferred or struck off without trial. Civil.	Appeals withdrawn or transferred or struck off without trial. Revenue.	Decided on trial: In favor of appellant. In whole. Civil.	In whole. Revenue.	In part. Civil.	In part. Revenue.	In favour of Respondent Civil.	In favour of Respondent Revenue.
	City Civil Court Lucknow,	1867	14	...	30	...	44	..	5	...	4	...	1	..	27	...
		1868	3	...	60	...	63	...	2	...	7	...	5	...	38	...
	Difference, ...		−11	...	+30		+19	...	−3	...	+3	...	+4	...	+11	...
Lucknow.	Lucknow, ...	1867	5	...	13	...	18	...	11	...	...	...	...	...	7	...
		1868	...	...	14	41	14	41	5	2	1	1	...	...	5	18
	Oonao, ...	1867	7	...	17	...	24	...	19	...	1	...	1	...	3	...
		1868	...	...	25	7	25	7	16	..	3	...	...	...	5	7
	Barabunkee, ...	1867	4	...	23	..	27	...	22	...	...	...	...	...	3	...
		1868	...	.	11	18	11	18	6	3	1	4	...	...	3	6
	Total, ...	1867	16	...	53	...	69	...	52	...	1	...	1	...	13	...
		1868	...	...	50	76	50	76	27	5	5	5	...	...	13	31
	Difference, ...		−16	...	−3	+76	−19	+76	−25	+5	+4	+5	−1	...	...	+31
Seetapoor.	Seetapoor, ...	1867	5	...	12	...	17	...	10	...	1	...	1	...	2	...
		1868	3	...	5	...	8	..	4	...	3	...	...	...	1	...
	Hurdui, ...	1867	6	...	30	...	36	...	22	...	1	...	...	...	7	...
		1868	4	...	22	...	26	...	13	...	4	...	1	...	6	...
	Kheree, ...	1867	3	...	7	...	10	...	8	...	...	...	...	...	2	...
		1868	...	...	5	...	5	...	4	...	...	...	...	...	1	...
	Total, ...	1867	14	...	49	...	63	...	40	...	2	...	1	...	11	...
		1868	7	...	32	..	39	...	21	...	7	...	1	...	8	...
	Difference, ...		−7	...	−17	...	−24	...	−19	...	+5	...	...	...	−3	...
Fyzabad.	Fyzabad, ...	1867	5	...	21	...	26	...	19	...	1	...	...	...	5	...
		1868	1	...	13	...	14	...	2	...	5	...	...	...	5	...
	Baraich, ...	1867	...	...	3	...	3	...	1	...	...	...	...	...	2	...
		1868	...	...	6	...	6	...	4	...	1	...	...	...	1	...
	Gondah, ...	1867	3	...	10	...	13	...	8	...	...	...	...	...	4	...
		1868	...	...	8	...	8	...	3	...	2	...	...	...	1	...
	Total, ...	1867	8	...	34	...	42	...	28	...	1	...	...	...	11	...
		1868	1	...	27	...	28	...	9	...	8	...	...	...	7	...
	Difference, ...		−7	...	−7	...	−14	...	−19	...	+7	...	...	...	−4	...
Roy Bareilly.	Roy Bareilly, ...	1867	1	...	18	...	19	...	11	...	...	...	...	...	7	...
		1868	1	...	18	...	19	...	5	...	3	...	1	...	9	...
	Sultanpoor	1867	...	...	19	...	19	...	13	...	1	...	...	...	4	...
		1868	1	...	4	...	5	...	3	...	...	...	...	...	2	...
	Pertabgurn, ...	1867	4	...	12	...	16	...	13	...	2	...	...	...	1	...
		1868	...	...	11	...	11	...	4	...	3	...	...	...	2	...
	Total, ...	1867	5	...	49	...	54	...	37	...	3	...	...	...	13	...
		1868	2	.	33	....	35	...	12	...	6	...	1	...	15	...
	Difference, ...		−3	...	−16	...	−19	...	−25	...	+3		+1	...	+1	...
	Grand total, ...	1867	57	...	215	...	272	...	162	...	11	...	3	...	74	...
		1868	13	...	202	76	215	76	71	5	33	5	7	...	79	31
	Difference, ...		−44	...	−13	+76	−57	+76	−91	+5	+22	+5	+4	...	+5	+31

Lucknow:
Judicial Commissioner's Office,
The 3rd June, 1869.

(Continued.)

MMISSIONER.

Remanded for further investigation.		Total.				Cases pending at end of year.		Average duration of each appeal.		REMARKS
		Cases.		Days.						
Civil.	Revenue.	Civil.	Revenue	Civil.	Revenue	Civil.	Revenue	Civil.	Revenue.	
4	...	41	..	1703	...	3	...	41	...	
...	...	52	...	1896	...	11	...	36	..	
−4	..	+11	..	+193	...	+8	...	−5	..	
...	...	18	...	623	...	...	...	34	...	
...	1	11	22	379	3855	3	19	34	175	
...	...	24	...	487	...	...	...	20	...	
...	...	24	7	506	574	1	...	21	82	
...	...	27	...	327	...	...	...	11	...	
...	...	10	13	156	2145	1	15	15	165	
2	...	69	...	1437	...	...	...	20	...	
..	1	45	42	1041	6614	5	34	23	157	
−2	+1	−24	+42	−396	+6614	+5	+34	+3	+157	
...	...	14	...	269	...	3	...	19	...	
...	...	8	...	276	...	...	...	34	...	
2	...	32	...	406	...	4	...	13	...	
...	...	24	...	551	...	2	...	22	...	
...	...	10	..	210	...	...	...	21	...	
...	..	5	...	58	...	...	...	11	...	
2	...	56	...	885	...	7	...	15	..	
...	...	37	...	885	...	2	...	23	...	
−2	...	−19	...	...	...	−5	...	+8	..	
...	...	25	...	373	...	1	...	14	...	
...	...	12	...	494	...	2	...	41	...	
...	...	3	...	55	...	...	...	18	...	
...	...	6	...	80	...	...	...	13	...	
1	...	13	...	231	...	...	...	17	...	
...	.	6	..	144	...	2	...	24	..	
1	...	41	...	659	...	1	...	16	...	
...	...	24	...	718	...	4	...	29		
−1	...	−17	...	+59	...	+3	...	+13	..	
...	...	18	...	178	...	1	...	9	...	
...	..	18	...	641	...	1	...	35	...	
...	...	18	...	169	...	1	...	9	...	
...	...	5	..	170	...	...	...	34	...	
—	...	16	...	295	...	...	...	18	...	
...	...	9	...	271	...	2	...	30	.	
...	...	59	...	642	...	2	...	12	...	
...		32	...	1082	...	3	...	33	.	
...	...	−20	..	+440	...	+1	...	+21	...	
9	...	259	.	5326	...	13	...	20	..	
...	1	190	42	5622	6614	25	34	29	157	
−9	+1	−69	+42	+296	+6614	+12	+34	+9	+157	

GEORGE COUPER,

Judicial Commissioner, Oudh.

No. 10.

Statement showing the execution of the decrees of the Civil Courts of the province of Oudh for the year 1868.

Class of Courts.	Number and amount of decrees passed during the year.				Number of applications for execution.						Number and amount of decrees completely executed.				No. and amount of decrees partially executed.				No. and amount of cases in which there was no execution.				No. and amount of cases transferred.				No. and amount of cases pending at the end of the year.				Number of cases in which specific performance was enforced.		Number of coercive processes in execution.									
	Civil.		Revenue.		Pending from last year.		Filed.		Total.		Civil.		Revenue.		Civil.		Revenue.		Civil.		Revenue.		Civil.		Revenue.		Civil.		Revenue.		Civil.		Revenue.		Sale of real property.		Sequestration of real property.		Sale of personal property.		Distraint of personal property.		Imprisonment.	
	Number.	Amount.	Number.	Amount.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.
Small Cause Courts, ...	2635	99326	...	...	16	...	2294	...	2310	...	842	28573	...	...	280	16415	...	...	940	47559	...	..	196	19643	...	...	52	3721	...	..	10	...	...	...	...	...	118	...	195	...	102	...		
Local and sub-divisional Civil Courts, ...	6563	161890	...	...	130	...	3590	.	3720	...	1919	48748	...	...	507	14946	...	...	913	28359	...	...	106	5254	.	...	275	13244		...	79	...	118	...	316	.	734	...	1348	...	174			
District Courts, ...	5149	959607	...	...	546	...	6052	.	6598	..	2166	435117	...	...	845	788585	...	..	2557	766692		...	305	248614	...	...	725	619172	...	...	63	...	493	...	1017	...	644	...	1505	...	739	...		
Total, ...	14347	1220823	...	...	692	...	11936	...	12628	...	4927	512438	...	...	1632	819948	...	..	4410	842610	...	...	607	273511	...	...	1052	636137	..	.	152	...	611	...	1333	...	1496	...	3048	..	1015	...		

Lucknow,
Judicial Commissioner's Office.
The 3rd June 1869.

GEORGE COUPER,
Judicial Commissioner, Oudh

No

Comparative Statement showing the execution of decrees of the

Number.	Divisions.	DISTRICTS.		Number and amount of decrees passed during the year.				Number of applications for execution.						Number and amount of decrees completely executed				Number and amount of decrees partially executed			
				Civil.		Revenue		Pending from last year.		Filed		Total		Civil		Revenue		Civil			
				Number	Amount	Number	Amount	Civil	Revenue	Civil	Revenue	Civil.	Revenue	Number	Amount	Number	Amount	Number	Amount	Number	Amount
	Lucknow	Civil Court Lucknow City,	1867	287	575927			100		763		863		299	190395			141	492529		
			1868	481	389248	..		90		796		886		288	129945			141	363944		
		Small Cause Court Lucknow City,	1867	2152	117926			16		2181		2197		658	27538			484	40768		
			1868	1829	87796			12		2080		2092		750	26028			260	15574		
		Total, ..	1867	2439	693853	..	..	116	.	2944	...	3060		957	217933	...		625	533297		..
			1868	2310	477044			102		2876		2978		978	156873			401	379518		
		Difference, ...		—129	—216809			—14		—68		—82		+21	—61060			—224	—153779		
		Lucknow, ..	1867	664	55283			28		630		658		93	4118			180	37853		
			1868	603	41428			28		630		658		154	13491			67	13790		
		Small Cause Court Lucknow Cantt	1867	487	6643			5		165		170		67	1570			15	892		
			1868	734	10520			4		189		193		78	1486			18	815		
		Oonao, ...	1867	1025	38787			38		821		859		280	5470			275	12071		
			1868	1075	58817			22		977		999		398	24075			181	28068		
		Barabunkee, .	1867	884	42138			52		519		571		211	9454			156	5876		
			1868	1094	48082			47		658		705		327	23328			96	5556		
		Total, ...	1867	3060	142851	...	..	123		2135		2258		651	20612			626	56492		
			1868	3506	158847			101		2454		2555		958	62380			362	48229		
		Difference, ...		+446	+15996			—22		+319		+297		+307	+41768			—264	—8263		
	Seetapoor.	Seetapoor,	1867	709	406000		.	42		562		604		296	32778			69	10905		
			1868	880	133933			57		630		687		276	29982			80	181526		
		Hurdui,	1867	1337	43314			57		659		716		175	4913			288	11057		
			1868	1245	51871			79		948		1027		486	26456			167	13549	..	
		Kheree,	1867	1040	37611			30		440		470		203	19662			80	9072		
			1868	972	30067			37		542		579		253	17224			53	5203		
		Total,	1867	3086	486925	.	...	129		1661		1790		674	57353			437	31034		
			1868	3097	215871		..	178		2120		2293		1015	73662			300	200277		
		Difference, ...		+11	—271054			+41		+459		+503		+341	+16399			—137	+169243		
	Fyzabad	Fyzabad,	1867	660	80579			56		686		742		291	26334			108	22730		
			1868	686	109509			96		649		745		258	67759			61	40193		
		Small Cause Court Fyzabad Cantt,	1867	74	580					18		18		12	164			6	34		
			1868	70	760					25		25		14	159			2	26		
		Gondah,	1867	763	58544			48		425		473		182	8152			163	9437		
			1868	787	23843			27		524		551		249	8879			76	9109		
		Baraich, ...	1867	2202	54378			41		1054		1095		446	20676			349	14813		
			1868	1958	63591			33		1159		1192		685	19127			106	2013		
		Total, .	1867	3699	194081		...	145		2183		2328		931	55326	..	.	626	47014	..	
			1868	3501	197703			156		2357		2513		1201	95924			245	51341		
		Difference ..		—198	+3622			+11		+174		+185		+270	+40598			—381	+4327		
	Roy Bareilly.	Roy Bareilly, ...	1867	888	49832	..		61		490		551		163	24105			184	44900		
			1868	679	58626			19		538		557		172	20743			88	110148		
		Sultanpoor, .	1867	652	76681			11		605		616		103	6346			157	5214		
			1868	552	40289			75		699		774		329	73756			112	18055		
		Pertabgurh,	1867	673	119518			28	..	810		838		254	14874			152	5509		
			1868	702	72443			66		892		958		274	29100			124	12383		
		Total, ...	1867	2213	246025			100		1905		2005		520	47325			493	55623		
			1868	1933	171358			160		2129		2289		775	123599			324	140581		
		Difference,		—280	—74667			+60		+224		+284		+255	+76264			—169	+84958		
		Grand Total,	1867	14497	1763735			613		10828		11441		3733	398549			2807	723466		
			1868	14447	1220823			692		11986		12628		4927	512438			1632	819946		
		Difference,		—150	—542912			+79		+1108		+1187		+1194	+113889			—1175	+96486		

LUCKNOW
JUDICIAL COMMISSIONER'S OFFICE,
The 3rd June, 1869

10 A.

Civil Courts of the Province of Oudh for the years 1867 and 1868.

Number and amount of cases in which there was no execution.				Number and amount of cases transferred.				Number and amount of cases pending at the end of the year.				Number of cases in which specific performance was enforced.		Number of coercive processes in execution.								Imprisonment.	Remarks.
Civil.		Revenue.		Civil.		Revenue.		Civil.		Revenue.				Sale of real property.		Sequestration of real property.		Sale of personal property.		Distraint of personal property.			
Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.	Civil.	Revenue.		
257	380539	..	...	76	122172	..	...	90	442224	..	..	...	...	349	..	499	...	95	...	115	..	496	
259	272585	...	...	151	188851	...	...	116	235127	...	...	...	...	334	..	510	...	74	..	122	..	501	
788	15108	..	..	255	23953	...	.	12	1482	...	...	13	...	...	...	...	...	202	..	200	...	150	
847	45415	...	...	193	19200	...	...	42	3484	...	...	10	..	...	...	...	...	96	..	195	...	89	
1045	395647	...	...	331	146125	...	...	102	443706	.	..	13	...	349	...	499	..	297	...	315	...	646	
1097	318000	...	...	344	208051	...	..	158	238611	...	...	10	...	384	...	510	.	170	..	317	...	590	
+52	—77647	...	...	+13	+61926	...	.	+56	—205095	..	...	—3	...	—15	...	+11	..	—127	...	+2	...	—56	
340	56835	...	...	17	14128	.	.	28	16580	...	...	...	...	7	...	8	...	17	..	39	..	9	
362	85891	...	...	8	2487	.	.	67	7060	...	...	10	...	3	...	30	...	31	..	72	...	61	
82	2572	..	...	2	55	...	..	4	173	...	..	...	...	...	...	...	...	...	..	18	...	...	
88	2104	...	...	3	443	...	...	6	211	...	...	...	...	...	...	...	..	...	..	16	...	11	
267	25727	...	...	15	669	...	...	22	7968	...	...	6	..	25	...	22	..	122	...	227	...	6	
331	40643	..	...	12	1051	...	...	76	19404	...	...	1	..	25	...	303	...	187	..	210	...	7	
141	12709	...	...	16	3565	...	...	47	4105	...	...	9	...	35	...	38	..	111	...	96	.	2	
200	39807	...	...	17	2837	...	...	65	7504	...	...	13	...	29	...	81	...	137	..	79	..	10	
830	97843	..	..	50	18417	...	...	101	28826	...	...	15	...	67	...	68	..	250	...	380	...	17	
981	167945	...	...	40	6818	...	...	214	34179	...	...	24	...	57	...	414	...	355	...	377	...	89	
+151	+70102	...	...	—10	—11599	...	...	+113	+5353	...	...	+9	...	—10	...	+346	...	+105	...	—3	...	+72	
137	19250	..	..	45	8919	...	...	57	353477	...	...	...	...	4	...	54	...	38	...	248	..	21	
200	24224	...	...	13	9011	...	...	118	198617	...	...	1	...	21	...	59	...	62	...	234	...	30	
163	12842	..	..	11	1606	..	...	79	5613	...	...	75	...	7	...	10	...	49	...	173	..	49	
234	27182	...	...	26	1936	...	...	114	11926	...	...	84	...	54	...	53	...	282	...	271	..	76	
103	8636	..	...	47	1201	..	...	37	7503	..	...	...	...	3	...	10	...	24	...	71	.	4	
170	14195	...	...	61	25171	...	...	42	8885	...	...	1	...	88	...	10	..	119	...	1	..	48	
403	40728	..	...	103	11726	...	...	173	366593	...	...	75	...	14	...	74	...	111	...	492	...	74	
604	65599	...	..	100	36118	...	..	274	219427	...	...	86	...	113	...	122	...	463	...	506	..	154	
+201	+24871	...	...	—3	+24392	...	...	+100	—147166	...	...	+11	...	+99	...	+48	...	+352	...	+14	..	+80	
199	25892	..	...	18	2116	.	..	96	54084	..	...	..	...	13	..	65	..	73	..	115	...	41	
313	28004	..	.	31	5559	.	.	87	59972	..	...	16	..	2	...	44	...	54	..	42	...	71	
...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	11	...	3	
5	40	..	..	.	...	...	..	4	26	...	...	...	...	...	...	...	...	22	...	...	...	2	
90	3865	..	...	11	864	..	..	27	2132	..	..	...	...	...	...	...	...	36	...	179	.	2	
149	9331	...	.	43	4801	...	...	34	3933	...	...	...	...	...	...	...	...	42	...	279	...	5	
243	13832	..	...	24	3593	..	...	33	1662	...	...	...	..	14	...	21	...	82	..	639	.	19	
314	13011	...	...	23	2555	...	...	64	3525	...	...	6	..	43	...	78	...	149	...	843	..	29	
532	43589	...	...	53	6573	...	...	156	57878	...	...	...	...	27	...	86	...	191	...	944	..	65	
781	50386	...	...	97	12914	...	...	189	67456	...	...	22	...	45	...	122	..	267	...	1104	..	107	
+249	+6797	...	...	+44	+6341	...	...	+33	+9578	...	...	+22	..	+18	...	+36	...	+76	.	+220	...	+42	
168	38866	.	...	17	6013	..	...	19	105730	..	...	...	...	10	..	14	.	75		188	..	2	
192	30968	...	..	17	2088	...	...	88	28489	...	...	10	...	23	..	56	...	120	.	405	...	20	
278	43300	.	...	3	944	...	..	75	9588	...	..	...	...	8	..	25	...	22	...	53	...	4	
279	76129	...	...	7	7328	...	...	47	6933	...	...	...	...	32	..	82	..	42	..	69	...	22	
366	282214	...	...	6	917	...	...	66	50375	...	...	...	...	1	..	3	...	37	...	103	..	42	
476	133583	...	...	2	194	.	.	82	41042	...	...	...	...	7	..	27	..	79	..	226	...	33	
812	364380	...	...	26	7874	.	...	160	165693	...	...	...	...	19	.	42	..	134	...	344	...	48	
947	240680	..	...	26	9610	..	...	217	76404	..	..	10	...	62	..	165	...	241	...	700	...	75	
+135	—123700	.		...	+1736	..	...	+57	—89229	...	...	+10	...	+43	.	+123	...	+107	.	+356	..	+27	
3622	942197	...	...	563	190715	..	..	692	1062696	...	...	103	...	476	.	769	...	983	..	2465	.	850	
4410	842610	..	..	607	278511	...	...	1052	636187	...	...	152	.	611	.	1333	..	1496	..	3048	...	1015	
+788	—99587		..	+44	+82796	..	...	+360	—426559	...	...	+49	..	+135	..	+564	...	+513		+583	...	+165	

GEORGE COUPER,

Judicial Commissioner, Oudh.

No. 11.

Statement showing use of Juries and Assessors in the Civil and Criminal Courts of the Province of Oudh in the year 1868.

Class of courts in which juries or assessors are employed, distinguishing Civil from Criminal Courts.	Established or average number of jury or assessors in each case and prescribed qualification.	Number of cases tried by jury.	Number of cases with assessors.	JURY TRIALS.			ASSESSORS' TRIALS.		Note showing in what classes of cases juries and assessors have been principally employed.	Remarks.
				Verdict in favour of the prosecutor or plaintiff.	Verdict in favour of the accused or defendant.	Jury discharged without verdict.	Number of cases in which judges agreed with assessors.	Number of cases on which judges differed from assessors.		
Civil Judge Lucknow City, exercising only civil powers,	4	1	...	1	...	...	...	...	...	
Magistrates of districts with additional powers under Act XV of 1862,	2	...	435	...	...	...	413	22	In classes VII to XV or in cases triable by Deputy Commissioner's Court of sessions under Act XV of 1862.	
Sessions Courts *i. e.*, Commissioners, ...	2	...	278	...	...	...	250	* 28	* In cases triable by Commissioners' court of sessions.	
Judicial Commissioner's Court, ...	...	...	...	...	...	...	...	...	...	
TOTAL, ...	2	1	713	1	...	...	663	50	...	

LUCKNOW;
JUDICIAL COMMISSIONER'S OFFICE,
The 30th April 1869.

GEORGE COUPER,
Judicial Commissioner, Oudh

No. 12.

Statement of Deeds registered in the Registration Offices of the Province of Oudh in the year 1868.

CLASS OF REGISTRY OFFICE.	Number of offices.	NUMBER OF DEEDS REGISTERED.														Amount of fees received.	Actual cost of Registry Office.	
		Obligation for payment of money not secured on real property.				Other personal contracts.	Receipts and other acquittances.		Leases.		Deeds of sale or mortgage of real property of value not exceeding Rs. 100.	Deeds of gift of real property.	Deeds of sale or mortgage of same when value exceeds Rs. 100.	Deeds affecting real property not included in above.	Wills.	Authorities to adopt.		
		Not exceeding Rs. 20.	Not exceeding Rs. 200.	Not exceeding Rs. 5000.	Exceeding Rs. 5000.		Not affecting real property.	Affecting real property.	For terms not exceeding one year.	For terms exceeding one year.								
Sadr Registrars,	14	15	248	381	63	549	40	89	212	126	2306	188	1605	1071	22	2	11070 3 8	No cost of the registry office charged to Government.	This class includes the tahsildárs.
Parganah Registrars,	55	1199	3992	468	7	3713	660	293	142	224	1386	369	883	1102	19	117	8545 10 0		
Public Notaries.	141	3862	13811	1482	114	12865	773	139	330	360	7417	289	2674	5652	36	34	22328 7 6		
Total ...	210	5076	18051	2331	184	17127	1473	521	684	710	11109	846	5162	7825	77	153	41944 5 2		

LUCKNOW,
JUDICIAL COMMISSIONER'S OFFICE,
The 3rd June 18 69.

GEORGE COUPER,
Judicial Commissioner, Oudh.

No. 12 A.

Comparative general Statement of Deeds registered during the years 1867 and 1868.

DISTRICTS.		Deeds of sale, gift or mortgage of real property.	Leases.	Wills.	Authority to adopt.	Obligations for payment of money.	Miscellaneous receipts &c.	Total.	Amount of fees received.		
City Civil Court Lucknow, ...	1867	3163	278	9	8	3731	5018	12207	10474	1	0
	1868	3274	307	6	24	3488	4459	11558	10,444	0	0
Difference ...		+111	+29	−3	+16	−243	−559	−649	−30	1	0
Lucknow, ...	1867	1647	45	...	1	1084	1290	4067	1994	10	0
	1868	2625	63	1	3	1389	1057	5088	2574	7	6
Small Cause Court Lucknow Cantonment, ...	1867	37	...	...	...	20	15	72	52	14	0
	1868	58	...	...	...	31	22	111	[illegible]		0
Oonao, ...	1867	1506	18	2	...	529	931	2986	1922	8	6
	1868	1792	18	2	...	689	912	3413	2523	2	3
Barabunkee, ...	1867	958	161	...	5	1939	2293	5356	2744	12	0
	1868	1174	76	3	1	2325	2295	5874	2828	8	8
Total, ...	1867	4148	224	2	6	3572	4529	12481	6714	12	6
	1868	5649	157	6	4	4384	4286	14486	7993	6	5
Difference, ...		+1501	−67	+4	−2	+812	−243	+2005	+1278	9	11
Seetapoor, ...	1867	327	121	3	...	2271	1813	4535	2619	13	0
	1868	257	107	8	...	2243	2304	5009	3124	4	0
Hurdui, ...	1867	1637	236	6	...	4339	2728	8946	4287	3	0
	1868	1993	184	4	110	4629	3008	9928	5065	2	0
Kheree, ...	1867	374	52	8	35	1407	1250	3126	1429	2	0
	1868	375	52	12	1	1577	878	2895	1516	6	0
Total, ...	1867	2338	409	17	35	8017	5791	16607	8336	2	0
	1868	2625	343	24	111	8449	6280	17832	9708	12	0
Difference ...		+287	−66	+7	+76	+432	+489	+1225	+1372	10	0
Roy Bareilly, ...	1867	1032	25	2	...	1071	1536	3666	2519	11	0
	1868	1390	57	8	...	990	1128	3573	2662	4	0
Sultanpoor, ...	1867	1382	47	8	...	1809	2371	5617	2263	15	0
	1868	1532	84	21	1	2643	1827	6108	2451	15	6
Pertabgurh, ...	1867	726	110	...	1	1184	1145	3166	1983	6	0
	1868	1120	232	2	2	1211	1687	4254	2767	5	0
Total, ...	1867	3140	182	10	1	4064	5052	12449	6767	0	0
	1868	4042	373	31	3	4844	4642	13935	7881	8	6
Difference ...		+902	+191	+21	+2	+780	−410	+1486	+1114	8	6
Fyzabad, ...	1867	886	44	211	1	1204	2068	4414	1930	4	3
	1868	1066	71	10	4	1071	2151	4373	2067	2	3
Small Cause Court Fyzabad Cantonment, ..	1867	18	...	...	...	4	13	35	53	12	0
	1868	16	..	...	...	7	7	30	44	0	0
Gondah, ...	1867	206	103	2	1	1732	3117	5161	1958	10	0
	1868	286	129	...	5	2135	2279	4834	2253	6	0
Baraich, ...	1867	147	11	...	...	1528	2051	3737	1486	10	0
	1868	159	14	...	2	1264	2842	4281	1552	2	0
Total, ...	1867	1257	158	213	2	4468	7249	1334[illegible]	5429	4	3
	1868	1527	214	10	11	4477	7279	13518	5916	10	3
Difference. ...		+270	+56	−203	+9	+9	+30	+171	+487	6	0
Grand total ..	1867	14046	1251	251	52	23852	27639	67091	37721	3	9
	1868	17117	1394	77	153	25642	26946	71329	41944	5	2
Difference, ...		+3071	+143	−174	+101	+1790	−693	+4238	+4223	1	5

LUCKNOW,
JUDICIAL COMMISSIONER'S OFFICE.
The 3rd June 1869.

N B—Certain headings have been combined together to make a comparison between the entries of the two years and the last column has been omitted, as Government incurs no cost on account of the Registry offices.

GEORGE COUPER,
Judicial Commr. Oudh.

No.

Comparative Witness Statement for the Province

DIVI	DISTRICTS		DISCHARGED 1 day Civil	1 day Criminal	2 days Civil	2 days Criminal	3 days Civil	3 days Criminal	4 days Civil	4 days Criminal	5 days Civil	5 days Criminal
LUCKNOW	Lucknow Civil Court,	1867	399		97		2	.	...	.	...	...
		1868	1492	...	119		3	..	3	..	..	
	Lucknow Small Cause Court, ..	1867	2429		19							
		1868	2047		126	...	40	...	...	..	..	...
	Total,	1867	2828		116		2			...	...	...
		1868	3539	...	5*5	...	43	.	3	..	...	
	Difference,		+711	..	+129		+41	...	+3			
	Commissioner,	1867		35		117		6	...	11	...	85
		1868	..	128	.	119	...	51	..	39		30
	Lucknow City Magistracy,	1867		1593		710		62				...
		1868	...	2449	...	93	...	16	...			4
	Lucknow,	1867	959	3406		151		34		13	..	7
		1868	911	5345	18	173	...	64	..	34		
	Small Cause Court Lucknow Cantt	1867	427									...
		1868	192		..	..	...	.		..		
	Oonao,	1867	1727	2802	20	273	7	54	...	18	..	6
		1868	1533	3646	10	189		43		11		8
	Barabunkee,	1867	2389	4356	35	238	9	4		...	...	...
		1868	1549	4524	7	334	10	32	..	5		
	Total,	1867	5502	12192	55	1489	16	160		42		98
		1868	4185	16092	35	908	10	206	...	89		42
	Difference, ...		−1317	+3900	−20	−581	−6	+46	.	+47		−56
SEETAPOOR	Commissioner, ...	1867		70		35		29	...	41	..	79
		1868	...	85	...	41	...	63		49		30
	Seetapoor,	1867	826	2570	2	318	5	83		12	...	7
		1868	1025	3483	31	53	15	22	1	6	8	10
	Hurdui, ...	1867	1954	5569	87	345	24	76		24		13
		1868	2613	7189	66	308	34	66	4	57	2	9
	Kheree, ...	1867	2022	2841	6	275	5	46		5	...	
		1868	2047	3864	15	92	...	39	..	39		4
	Total, ...	1867	4802	11050	95	973	34	234	..	81	...	99
		1868	5685	14621	112	497	49	190	5	151	10	53
	Difference,		+883	+3571	+17	−476	+15	−44	+5	+70	+10	−46
FYZABAD	Commissioner, ...	1867	...	198		45		14		3	...	
		1868	...	526	...	27	...	..	..	16		6
	Fyzabad, ...	1867	678	4400	17	328	5	46	.	13	...	2
		1868	1153	5516	4	488	..	153	...	64		14
	Small Cause Court Fyzabad Cantt.	1867	58							..		...
		1868	37	...	..	...			..	...		
	Baraich, ..	1867	1881	1964	44	174	2	26		4		
		1868	2416	3325	42	64	8	42	..	9		6
	Gondah, ...	1867	412	2319	.	886		115		8		10
		1868	400	3274	.	876		270	..	61		25
	Total,	1867	3029	8881	61	1433	7	201	...	28	...	12
		1868	4006	12641	46	1455	8	465	..	150		51
	Difference,		+977	+3760	−15	+22	+1	+264	..	+102		+39
ROY BAREILLY	Commissioner,	1867		299	.	34		19		32	..	22
		1868	...	430	...	146	.	59	...	12		8
	Roy Bareilly,	1867	856	3074	21	421	.	81	...	13	..	...
		1868	999	3889	29	303	...	71		65		31
	Sultanpoor,	1867	1116	2835	...	273		59	...	32		12
		1868	1167	3861	16	173	5	47	...	56		12
	Pertabgurh, ...	1867	524	2601	17	188	5	19		15	4	
		1868	996	4458	9	374	..	116	1	40		17
	Total,	1867	2496	8809	38	916	5	178		92	4	34
		1868	3162	12638	54	996	5	293	1	173		68
	Difference,		+666	+3829	+16	+80	...	+115	+1	+81	−4	+34
	GRAND TOTAL,	1867	18657	40932	365	4811	64	773		243	4	243
		1868	20577	55992	792	3856	115	1154	9	563	10	214
	Difference,		+3061	+15060	+427	−1955	+51	+381	+9	+320	+6	−29

JUDICIAL COMMISSIONER'S OFFICE,
LUCKNOW
The 30th April 1869

13.

of Oudh for the years 1867 and 1868.

AFTER

6 days		7 days		8 days		9 to 15 days		16 to 23 days		24 to end of month		More than one month		Total		Undischarged at the close of 1868		Longest period any undischarged witness has been detained	
Civil.	Criminal.	Civil.	Criminal.	Civil.	Criminal.	Civil.	Criminal.	Civil.	Criminal.	Civil.	Criminal.	Civil.	Criminal.	Civil.	Criminal.	Civil.	Criminal.	Civil.	Criminal.
..	..			..			..			...	..	..	...	498 1617	...	...			
,		.		.	...	.		.		...	...	.	..	2448 2313	.	..			...
..	...		...		.					...		...		2946 1130	...				...
														+1184					
	48 62	...	...		...		...				...	..	.	...	302 420		..	...	...
	. .			...	..	..			...		...	..	...	...	2365 2562				...
	1 1				2		3		.	...				959 929	3617 5620		.		..
	. .		...		...		...			...	..	...	...	427 192	.	..			...
	20 2			...			..		..	...	.	.	...	1754 1543	3173 3899	...			..
.	...		.		.		2	...	...	..	...	..	...	2433 1566	4598 4897			...	...
	69 68			..	2		3 2						.	5573 4230	14055 17407			...	.
.	—1			...	—2		—1							—1343	+3352				
...	20 47		60 85		93		20 76		.			..		.	354 575		...	..	...
.	6		...				... 5			..	.	...	...	833 1080	2989 3585				
3		5	7 2		9							...		2073 2719	6034 7040				
			...				... 4							2033 2062	3167 4042		3		
3	20 53	5	67 90	...	102	...	20 85	.		.			...	4939 5861	12544 15842	.	... 3		
—3	+33	—5	+23		+102		+65							+922	+3298		+3		
...	8	.	.	...	.						..				260 583	..			
.	19		2		...		8		12	...	...	...	...	700 1157	4789 6276				...
								...		...	.		...	58 37			.		
		..							..	..	...	..	...	1927 2466	2168 3446		.		... ..
	24		11 29			.	..					..		412 400	3349 4559		.		
...			11	..									...	3097	10566				
..	51		31	. .			8		12					4060	14864				
	+51		+20				+8	.	+12					+963	+4298				
.	8 10						7	...	...		...	.	.		421 665		.		.
		.	4		.					...		..	.	877 1028	3589 4363		.	...	
	6 3	.	.		2	..	...		.			...	...	1116 1188	3217 4154				...
	5 3	...	...	.							...	.	...	550 1006	2828 5008				.
	19 16		4		... 2	..	7				...		...	2543 3222	10055 11190		...	...	
	—3		+4		+2		—7							+679	+4135				
3	108 188	5	78 125		2 104		30 95		12		..			19098 21503	47220 62303			...	
—3	+80	—5	+47		+102		+65		+12					+2405	+15083				

GEORGE COUPER,

Judicial Commissioner, Oudh.

No. 15.

Comparative Statement shewing receipts and disbursements on account of processes in the Civil Courts of the Province of Oudh for the years 1867 and 1868.

Division.	District.		Total amount of Tulbaná received			Total amount of Tulbaná disbursed			Total amount in hand.			Remarks.
	City Civil Court, Lucknow,	1867	2417	2	0	2232	0	0	185	2	0	
		1868	3143	0	0	2232	0	0	911	0	0	
	Small Cause Court, Lucknow,	1867	3336	4	0	2268	0	0	1068	4	0	
		1868	2791	2	0	2268	0	0	523	2	0	
	Total,	1867	5753	6	0	4500	0	0	1253	6	0	
		1868	5934	2	0	4500	0	0	1434	2	0	
	Difference, ..		+180	12	0	0	0	0	+180	12	0	
Lucknow	Lucknow .	1867	1227	10	3	1157	2	10	70	7	5	
		1868	1235	4	0	1098	13	3	136	6	9	
	Small Cause Court, Lucknow Cantonment, . .	1867	391	8	0	165	5	10	226	2	2	
		1868	506	4	0	226	9	4	279	10	8	
	Oonao,	1867	2401	10	6	1362	14	2	1038	12	4	
		1868	2441	15	0	1689	1	1	752	13	11	
	Barabunkee, .. .	1867	1817	12	0	1554	0	8	263	11	4	
		1868	1846	6	0	1662	14	10	183	7	2	
	Total,	1867	5836	8	9	4239	7	6	1599	1	3	
		1868	6029	13	0	4677	6	6	1352	6	6	
	Difference, ...		+191	4	3	+437	15	0	−246	10	9	
Seetapoor	Seetapoor, .	1867	1619	10	0	892	0	8	727	9	4	
		1868	1736	6	0	936	12	11	799	9	1	
	Hurdui, ...	1867	2529	10	9	1441	15	8	1087	11	1	
		1868	2754	6	0	1656	11	8	1097	10	4	
	Kheree,	1867	1846	1	0	1442	11	9	403	5	3	
		1868	1741	12	0	1440	9	8	301	2	4	
	Total,	1867	5995	5	9	3776	12	1	2218	9	8	
		1868	6232	8	0	4034	2	3	2198	5	9	
	Difference,		+237	2	3	+257	6	2	−20	6	0	
Fyzabad	Fyzabad,	1867	2097	6	0	1659	0	0	438	6	0	
		1868	1942	2	0	1674	14	9	267	3	3	
	Small Cause Court, Fyzabad Cantonment, .. .	1867	80	4	0	72	0	0	8	4	0	
		1868	77	10	0	72	0	0	5	10	0	
	Baraich, . .	1867	2743	0	0	2296	2	7	446	13	5	
		1868	3370	1	0	2856	1	0	514	0	0	
	Gondah,	1867	1142	5	0	1008	6	8	133	14	4	
		1868	1277	6	0	924	12	0	352	9	6	
	Total,	1867	6062	15	0	5035	9	3	1027	5	9	
		1868	6667	3	0	5527	12	3	1139	6	9	
	Difference,		+601	4	0	+492	3	0	+112	1	0	
Roy Bareilly	Roy Bareilly,	1867	1386	0	0	910	0	0	476	0	0	
		1868	1282	5	0	981	9	3	300	11	9	
	Sultanpoor, ..	1867	1201	0	6	883	12	9	317	3	9	
		1868	1035	0	0	782	8	7	252	7	5	
	Pertabgurh, ..	1867	1714	8	0	1236	14	0	477	10	0	
		1868	1649	4	0	1206	3	2	443	0	10	
	Total,	1867	4301	8	6	3030	10	9	1270	13	9	
		1868	3966	9	0	2970	5	0	996	4	0	
	Difference,		−334	15	6	−60	5	9	−274	9	9	
	Grand total,	1867	27951	12	0	20582	7	7	7369	4	5	
		1868	28830	3	0	21709	10	0	7120	9	0	
	Difference,		+878	7	0	+1127	2	5	−248	11	5	

Lucknow
Judicial Commissioner's Office,
The 3rd June 1869.

GEORGE COUPER,
Judicial Commissioner, Oudh

No. 559 of 1870.

FROM

SIR G. COUPER BART, C. B.,

Judicial Commissioner of Oudh,

To

H. B. HARINGTON, ESQUIRE, M. A.,

Offg. Secy. to Chief Commissioner, Oudh.

Dated Lucknow, the 22nd April 1870.

SIR,

Submitting Civil Administration Report for 1869

In continuation of my letter No. 523A., dated 14th instant, I have now the honour to submit the papers noted in the margin, together with the following remarks on the civil administration of the province, during the past year.

Per separate list

STATEMENT 8 A
Suits instituted

2. It appears from the general comparative statement No. 8A, that there has been a general increase in the number of original suits instituted during the year as shown in the margin, but it is so trifling that litigation may be said for all practical purposes to have been stationary.

1868	...	...	24,559
1869	...	..	26,867
Difference,		...	+2,308

Cases struck off without trial

3. The number of cases struck off without trial under Section 110 of the Code of Civil Procedure has decreased by one per cent. during the year under review, 13 per cent of the cases instituted having been so disposed of against 14 per cent in 1868. The circular which I issued on the subject accompanies, marked Appendix No. I, and I do not know that it is in my power to do more in the matter. I have however no doubt that the reason why so many cases are struck off without trial, that is, on failure to prosecute, as compared with the North-Western Provinces, is that there are not many vakeels in the outlying districts. I have reason to believe that, in the North-Western Provinces, a suit is almost always instituted through the agency of a vakeel, who, of course, for his fee's sake, will take care that it is not allowed to drop, and will prevent an amicable adjustment if he can. In this province, a vast number of cases are instituted by the plaintiff in person, and the fact of his having done so must be often sufficient to make the defendant come to an arrangement of some sort, after which the plaintiff has no object in proceeding further with his suit, which is consequently struck off without trial. I submit that this is a satisfactory solution of the problem which has been the object of so much enquiry, viz., the reason why so large a number of cases comparatively are struck off for want of prosecution in Oudh.

The districts in which the largest number of cases were struck off without trial are noted in the margin. I believe the result in Baraich to be due to the cause above indicated, viz., the absence of vakeels; but, in Seetapoor, Oonao and Kheree, it is due, I fear, to a defective supervision over the working of the civil administration on the part of the Deputy Commissioners in charge.

District.	Number of cases on the file.	Struck off without trial under Section 110.
Oonao, ...	2478	431
Seetapoor, ...	1700	409
Kheree, ...	1975	422
Baraich, ...	3026	580

4. Only 35 per cent. of the number of suits disposed of were tried and decided in court. In 1868 it was 38 per cent, and in 1867 it was 52 per cent, so that there has been progressive deterioration instead of improvement in this respect. In Baraich only 20 per cent. were so disposed of, but this has always been an exceptional district, and in Seetapoor only 24 per cent. of the cases were fairly tried out, which I believe to be due to much of the work having been thrown on an incompetent officer.

Suits tried and decided in court

5. The average duration of contested cases was 22 days against 19 in 1868; in uncontested cases the duration was 17 days in 1869 and 15 in 1868. The result in contested cases is worst in the districts which comprise the Lucknow division. The Deputy Commissioner of Lucknow mentions that for some days during the year, at a time when an officer with many cases pending on his file had been compelled to go on sick leave, the district was left with only two officers to carry on the whole of the duties, and under such circumstances I do not think exception can be taken to the duration.

Average duration of cases.

District.	Duration of cases.	
	1868.	1869.
Lucknow, ..	22	31 days,
Oonao, . ..	16	27 days,
Barabunkee, ...	16	21 days,

On the other hand, there has been a marked improvement in the duration of contested cases in the districts which comprise the Roy Bareilly division as shown in the margin. But for this, and the reduction of the duration from 33 to 21 days in the Gondah district, the general average would have been higher than it is. But I do not think an average of 22 days calculated from the date of filing the plaint to the date on which judgment is recorded in a contested case, can be considered altogether unsatisfactory, provided that average be not exceeded in the present year. At the close of the year there were 1,007 cases pending,

District.	Year.	Number of contested cases.	Average duration.
Roy Bareilly, ...	1868	475	38
	1869	645	21
Sultanpoor, ...	1868	469	27
	1869	412	24
Partabgurh, ...	1868	259	17
	1869	328	19

or 432 more than at the close of 1868. The largest number, 144, were pending in the Fyzabad district, and is said to be owing, among other causes, to the work of an officer who had to go away sick being transferred to another officer with a deal of revenue work on his hands.

Cases decided by arbitration.

6. Eight hundred and fifty-seven cases were disposed of by arbitration. In 1868, 669 cases were so disposed of. Arbitration is resorted to principally, I believe, in the courts of Honorary Assistant Commissioners, before whom this manner of settling a case may be all very well; but I doubt whether the application to be allowed to refer to arbitration is always, or often, *bonâ fide* when the case has once come before one of the regular tribunals.

STATEMENT No. 9A.

Appeals to Deputy Commissioners.

7. The comparative general statement of Civil Appeals (No. 9 A,) shows that 822 appeals were instituted in the courts of Deputy Commissioners, or 228 less than in 1868, during which year the number was 1,014. Appeals to this class of court are steadily on the decrease, for in 1867 the number was 1,188. The number of appeals struck off without trial by reason of the non-appearance of the appellants was 6 per cent in 1869 and 4 per cent in 1868. Although the result is not so good during the year just past, I do not know that 6 per cent can be regarded as an undue proportion of cases so disposed of.

Year.	Total number of appeals on the file.	Rejected.	Transferred.	Adjusted under Section 98	Tried ex parte or struck off without trial.	Decided on trial.			Remanded for further investigation.	Total.
						In favour of appellant.		In favour of respondent.		
						In whole.	In part			
1868,	1,076	24	14	34	62	164	55	531	130	1,014
1869,	685 *	29	6	11	66	165	54	453	56	840
Diff.	−191	+5	−8	−23	+4	+1	−1	−78	−74	−174

* Includes pending cases.

Appeals decided on their merits.

8. Out of 672 appeals decided on their merits, 67 per cent were given in favour of the respondents. In 1868 the number was 71 per cent. As long as a great deal of civil work is entrusted to inexperienced tahsíldárs, who, moreover have duties in other departments more peculiarly their own to attend to, a larger number of decisions than would otherwise be the case must be reversed in appeal.

Cases remanded for further investigation.

9. The number of cases remanded for further investigation was 56. In 1868 it was 130. The decrease is satisfactory in that it indicates that appellate courts are less prone to get an appeal off their files by remanding it, without due reason assigned, for further enquiry.

Appeals pending.

10. There were only 45 appeals pending at the close of the year, and 26 of these were in the Roy Barelly district alone. Colonel Steel, the incumbent, is said to have been ill and to have found work "irksome." The average duration was 20 days, the same as in 1868. In no district was the duration above 30 days, and in Lucknow and Hurdui the duration was only 12 and 13 days respectively; and as only 6 per cent of the number were struck off without trial by reason of the non-appearance of the appellants I think the result is satisfactory.

Average duration.

11. The Commissioners of divisions disposed of 368 appeals, or 65 more than in 1868. Of these, only 5 were struck off without trial under Section 346 of Act VIII of 1859, by reason of the non-appearance of the appellants. Two hundred and eighty-six, or 87 per cent of these appeals were contested. In 1868, the proportion was 74 per cent. And of these 286 contested cases, only 82 were decided either wholly or in part in favour of the appellant, a result which speaks favourably, I submit, for the judgment of the higher courts of first instance. The average duration of each contested appeal was 49 days against 51 in 1868. The Commissioner of Seetapoor shows best in this respect, as he has reduced his average duration from 89 to 26 days, while, on the other hand, the Lucknow Commissioner's court, which has hitherto disposed of its appellate business more expeditiously than any other, has taken an average of 45 days to dispose of its appeals during the past year, against 21 days in 1868.

Appeals to Commissioners.

12. There were only 41 cases pending at the close of the year.

Appeals pending in Commissioners' courts

13. There were 213 appeals in my own court, or 11 more than in 1868. The percentage of reversals was 14. The average duration was 22 days against 29 in 1868; and there were 11 cases pending at the close of the year against 22 at the close of 1868.

Appeals to the Judicial Commissioner's court.

Besides these cases on the civil side this court disposed of 76 revenue appeals which were transferred to it under Section I of Act XXXVII of 1867.

The Judge of the Small Cause Court submitted 17 cases for a ruling under Section 22 of Act XI of 1865.

14. Statement No. 7 shows that 26,918* suits were disposed of, the aggregate value of which was Rs. 23,81,135, and the total costs Rs. 2,49,871 so that the percentage of costs to value was Rs. 10-7-10. The percentage falls heavily on suits for a small amount, and is materially augmented by charges on account of pleaders' fees. With a few honourable exceptions, native pleaders are a hindrance rather than an assistance to the presiding officer, and do their best to frustrate rather than to promote the ends of justice. But since the introduction of Act XX of 1865, their number is surely and steadily increasing, and with them the sums to be paid for their services by their deluded employers.

STATEMENT No. 7.

Value of suits disposed of and the costs incurred.

* This is exclusive of 166 cases transferred in the Oonao district.

15. From the Registration Return (12 A) it will be seen that 77,032 deeds were registered during the year under review, or 5,703 more than in the previous year. As in 1868, the most marked increase is in the number of alienations of real property. In 1868, there were 17,117 such transactions, and in 1869 there were 20,915 or 3,798 more. The amount of fees received has increased proportionately.

Year	Amount of fees.
1868	42,047
1869	47,145
	+ 5,097

STATEMENT No. 12A.

Registration.

STATEMENT No. 6
Classification of suits

16. Statement No. 6 contains the classification of suits instituted during the year under review. The total number was 27,519 and the headings under which the larger number of suits were filed are indicated in the margin.

Nature of suits.	Number of suits.
Bond debt, ...	8,260
Simple debt, ...	9,859
Goods sold, ...	3,551
Personal property, ...	3,219
On account stated, ...	2,354

Suits for damages on account of defamation are, I perceive, much the same in both years, 206 in 1868, and 199 in 1869; but actions relating to marriage have fallen from 344 in 1868 to 264 during the past year.

STATEMENT No. 10.
Execution of decrees.

17. From statement No. 10 it would seem that decrees passed for the amount of Rs. 13,64,507, or for Rs. 1,43,684 more than in 1868. Of the actual number of decrees, execution of which was applied for *viz.* 13,581, there was complete execution in 4,797 cases, that is 35 per cent. of the decrees were completely executed. In 1868 the percentage was 39, so that there has been somewhat less success in the working of this important branch of the administration during the year under review. In my next report I will show the proportion realized to the amount decreed, which will be a more satisfactory criterion of the success attending execution of decrees. The statement No. 10 does not afford the requisite data.

STATEMENT No. 13.
Witnesses.

18. From statement No. 13 it appears that 20,725 witnesses were examined on the civil side of the court. In 1868 the number was 21,503. Of these 20,726 persons, 19,162, or 92 per cent., were dismissed on the first day, but in 1868 the percentage of persons so dismissed was 96·0. Five per cent. of the number were dismissed on the second day against 3 per cent. in 1868, and 539 witnesses, or 395 more than during the previous year were detained over the second day. Of these last, no less than 320 persons were detained for three days in the Lucknow Court of Small Causes which is one of the last courts in which I should have expected to find any delay. The presiding officer, who is now on leave, does not offer any explanation. Although the result is not so exceptionally good as it was during the previous year, I submit that generally it cannot be held to have been unsatisfactory.

STATEMENT No. 15.
Receipts and disbursements on account of processes.

19. An abstract of the receipts and disbursements on account of processes (statement No. XV) is given in the margin. Every district has a balance in hand. The Chief Commissioner will perceive that the total amount at credit amounts to Rs. 7,889, which sum, I presume, will find its way into the hands of Government under the Court Fees Bill.

Year.	Total amount of tulbana received.	Total amount of tulbana disbursed.	Total amount in hand.
1868,	28,830 3 0	21,709 10 0	7,120 9 0
1869,	30,800 9 6	22,910 15 9	7,889 9 9
	+1,970 6 6	+1,201 5 9	+769 0 9

STATEMENT No. 8.
Work performed by each class of officers.

20. Subjoined is an abstract from statement VIII, from which it would seem that the amount of work which devolved on each class of officers was much the same in both of the years under comparison.

Class of officers.	Years	Percentage of suits.
Small Cause Court, ...	1868	15 per cent
	1869	14 „ „
Honorary Assistant Commissioners, ...	1868	5 „ „
	1869	5 „ „
Tehsildárs, ...	1868	38 „ „
	1869	41 „ „
Extra Assistant Commissioners and Assistant Commissioners, ...	1868	36 „ „
	1869	34 „ „
Deputy Commissioners and Civil Judge of Lucknow, ...	1868	3 „ „
	1869	3 „ „
Pending, ...	1868	2 „ „
	1869	4 „ „

Qualifications of officers

21. Mr. Dyson was in charge of the Small Cause Court during the year under review. His merits are well known to the Chief Commissioner. The qualifications of other officers have been commented on in my report on the working of the criminal administration of the province during the past year.

I have the honour to be,

Sir,

Your most obedient servant,

GEORGE COUPER,

Judicial Commissioner, Oudh.

No. 2875.

FROM

H. B. HARINGTON, ESQUIRE, M. A.,

Offg. Secy. to the Chief Commissioner, Oudh,

To

WILLIAM C. CAPPER, ESQUIRE, C. S.,

Offg. Judicial Commissioner, Oudh.

Dated Lucknow, the 14th June 1870.

SIR,

I AM directed to communicate the following remarks by the Chief Commissioner on Sir George Couper's report upon the Civil Administration of Justice for the year 1869.

Para 2. 2. The number of suits instituted increased by nearly 11 per cent. The increase is visible in all districts, except Seetapoor and Sultanpoor; in the latter the decrease has been continuous for three years.

3. The growth of business in this department during the last nine years, appears from the following figures :—

	Number of suits instituted.	Percentage of increase.	Percentage of decrease.
1860 ...	6,944 ...	... ...	
1861 ...	8,676 ...	... 19·96	
1862 ...	11,756 ...	... 26·19	
1863 ...	13,818 ...	... 14·92	
1864 ...	17,890 ...	... 22·75	
1865 ...	23,009 ...	... 22·24	
1866 ...	25,519 ...	... 9·83	
1867 ...	22,558 ...	... ...	13·12
1868 ...	25,018 ...	... 9·83	
1869 ...	28,091 ...	... 10·93	

The remarkable check perceptible in 1867 was common to all districts except Hurdui and Baraich. It was a year of plenty, and it may be presumed that many debts were settled out of court. The confidence of the people in the courts is strikingly indicated by the fact that the institutions have quadrupled in 1869 as compared with 1860. It is creditable to the officers, but suggestive of some doubt as to the durability of the present system, that with the exception of the Small Cause Courts, the strength of the judicial agency has not been added to.

4. The increase is not equally divided amongst the districts. It is shown thus :—

	Increase of institutions.	Percentage.
Baraich, ...	3,542 ...	... 184·70
Oonao, ...	2,110 ...	... 157·96
Pertabgurh, ...	1,021 ...	... 150·32
Seetapoor, ...	1,404 ...	... 140·60
Hurdui, ...	1,643 ...	... 138·29
Kheree, ...	1,600 ...	... 137·93
Roy Bareilly, ...	1,374 ...	... 135·87
Lucknow, ...	956 ...	... 114·06
Barabunkee, ...	1,456 ...	... 107·58
Fyzabad, ...	950 ...	... 91·81
Gondah, ...	1,629 ...	... 78·36
Sultanpoor, ...	630 ...	... 68·78

Some allowance has to be made for changes in the boundaries of districts ; but it may be decidedly inferred that the increase of litigation being largest in some of the most thriving and improving districts is a symptom of growing wealth, and not merely one of widespread indebtedness.

5. If the Deputy Commissioners of Seetapoor, Oonao, and Kheree have given any explanation of the excessive number of cases struck off without trial, the Chief Commissioner desires that it may be sent for his perusal. Para 4.

6. The prolongation of the average duration from 19 to 22 days is not in itself altogether satisfactory ; but it is necessary to make allowances for the paucity of officers. The improvement of the average in the Roy Bareilly, Sultanpoor, and Pertabgurh districts is very noticeable. Para 5.

7. The Chief Commissioner thinks that the decrease of appeals, *viz* .—

1,188..... in 1867
1,014..... in 1868
840..... in 1869

must be held to indicate an improvement in the character of the courts of first instance.

8. Except in Roy Bareilly, the average duration of these appeals was not excessive. In Lucknow and Hurdui it shows remarkable despatch. Para 10.

9. The increase in the appeals to Commissioners does not require particular remark. 82 out of 286 decided wholly or partly in favour of the appellants is a favourable comment on the judgments of the lower courts. The reduction of the duration in the court of the Commissioner of Seetapoor is satisfactory.

10. Considering that the number of appeals to the Judicial Commissioner increased, it is satisfactory that they were more promptly disposed of, and that so few were undecided at the close of the year.

Para. 14. 11. The Chief Commissioner regrets to receive a report so discreditable to the Native Pleaders in Oudh.

Para. 15. 12. It is observed that the larger portion of the additional transactions registered were alienations of landed property. This is so far satisfactory that the system in force appears not inadequately to meet the wants of the people.

Para. 20 13. The Tehsíldárs decided 41 per cent. of the cases against 38 in 1868. The Chief Commissioner could wish that the necessity for increasing the burden on these officers had not existed, as it is simply impossible that they can properly attend to their revenue business when so entirely pre-occupied. Mr. Davies has long been satisfied that the tendency to overload the executive native officers with judicial business is detrimental to the work in other departments. The review made on this occasion of the yearly increase to the civil suits instituted, makes him doubtful if they could be decided at all without a disproportionate demand on the time of the Tehsíldárs; and still more doubtful if the withdrawal for lengthening intervals of these officers from their primary duties can be regarded as a sound or economical arrangement. The fact that they may without inconvenience be employed to some extent in the adjudication of civil suits ought not to furnish them with a pretext to neglect business the most indispensable to the State, though less susceptible of tabular analysis.

I have the honor to be,

Sir,

Your most obedient servant,

H. B. HARINGTON, M. A.,

Officiating Secretary to the Chief Commissioner, Oudh.

APPENDIX I.

BOOK CIRCULAR No. XIX.

CIRCULAR No. 30-722 of 1869.

FROM

THE HON'BLE SIR GEORGE COUPER, BART, C. B.,
Judicial Commissioner of Oudh.

To

ALL COMMISSIONERS AND DEPUTY COMMISSIONERS, AND JUDGES OF SMALL CAUSE COURTS, OUDH, AND CIVIL JUDGE OF LUCKNOW.

Dated Lucknow, the 12th June 1869.

SIR,

In continuation of my Book Circular No. 18, dated 26th ultimo, I have the honour to bring to your notice that when a case is struck off without trial, under Section 110 of the Code of Civil Procedure, the fact is ordinarily due to one of two causes.

2. Either the parties have come to an amicable arrangement out of court, or the case has not been called up on the day fixed for hearing, and the parties have gone to their homes. Consequently, on the day on which the case *is* called up, they are not in attendance, and it is struck off without trial.

3. I have reason to fear that an undue number of cases are struck off owing to this latter cause.

4. I therefore request that, on the day fixed for hearing, the parties may invariably be called before the court. If, for any reason, the case cannot be heard on that day, they should be duly informed of the fact, and apprised by the judge himself of the date to which it is postponed, and on which they should again be in attendance. This duty should never be delegated to a mohurrir or to a peon. The parties should be called before the judge personally.

5. In the event of a judge being sick, he should report the fact to the Deputy Commissioner, or other officer in charge at Head Quarters who should either himself summon, or cause another judge to summon, the parties whose cases the sick officer would have heard on that day, and inform them of the date to which their cases are postponed; or, if it be necessary, apprise them that their cases are indefinitely postponed, but that they will receive due notice of the day fixed for hearing.

6. In the event of an officer going on leave or being transferred, the arrangements should be similar. His files should be made over to some other officer. This last, it may be, will be unable to take up the cases on the day fixed for hearing by reason of the pressure of his own work. But he should cause the parties to each suit to be brought before him, and informed either of the date to which the hearing is postponed, or that they will receive due notice of the date on which they will be required to attend, as the case may be.